



Responses to
2002-2003
Solano County
Grand Jury
Final Report

Honorable Scott Kays, 2002-2003 Presiding Judge
Superior Court of California

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RECOMMENDATION NO. 8B

The Resource Conservation Districts promote a direct assistance program to help individuals complete required applications to the numerous environmental agencies. The DEM provide the same assistance for individuals not residing in a resource conservation district.

Response: This recommendation does not involve SCWA.

FINDING NO. 9

Waterways on private urban and rural property are often not cleared of debris by the landowners.

Response: SCWA agrees with this finding.

RECOMMENDATION NO. 9

The Solano County Board of Supervisors establish an ordinance to require the maintenance by the property owner of waterways for which public agencies have no easement granted access.

Response: This recommendation does not involve SCWA.

FINDING NO. 10

The Flood Control Advisory Committee lacks adequate staff support.

Response: SCWA disagrees with this finding. Current staff levels are appropriate with the current program of implementing the Flood Control Master Plan. This does not preclude SCWA from providing additional staffing should implementation of the Master Plan require additional work.

RECOMMENDATION NO. 10

Provide staff assistance for flood control purposes.

Response: See response to Finding No. 10.

Regarding Background item #9, the text says that the Flood Control Advisory Committee is recommending a County moratorium on issuing unincorporated area building permits until flood control procedures are implemented for flood prone areas. The Flood Control Advisory

FINDING NO. 7

A Small Project Grant Program recipient cannot receive an additional grant for a similar project whether or not the condition was caused by factors beyond the landowner's control.

Response: This finding is inaccurate. The criteria for the Small Project Grant Program do not prohibit an individual from reapplying for a similar project. Staff has given priority to projects that have not received SCWA funding in the past. Additionally, if the landowner has not met its responsibility for maintenance of the SCWA implemented project, then the landowner is deemed in violation of the original agreement and should not be eligible for additional funding.

RECOMMENDATION NO. 7

Revise the Small Project Grant Program to permit additional grants when the condition was caused by factors beyond the landowner's control.

Response: There is no need to implement this recommendation because the Small Project Grant Program currently allows additional grants to a landowner who had previously received SCWA assistance.

FINDING NO. 8

The large number of environmental agencies and widespread lack of understanding of environmental law and procedures deters individual landowners and some governing officials from employing appropriate waterway maintenance.

Response: SCWA agrees with this finding. However SCWA staff is available to assist landowners and governing officials in obtaining the necessary permits.

RECOMMENDATION NO. 8A

Appropriate agencies (SCWA, DEM, Irrigation Districts and Resource Conservation Districts) coordinate the development of informative bulletins explaining environmental agencies functions and require distribution to concerned landowners.

Response: This recommendation requires coordination with other agencies and SCWA will report back within six months to the Grand Jury.

RECOMMENDATION 4C

The DEM review all reports and photographs of flooding for long-term analysis to determine appropriate flood prevention and control measures.

Response: This recommendation does not involve SCWA.

FINDING NO. 5

Solano County has an ordinance that specifies flood prevention requirements (water runoff control) for homes constructed in subdivisions that is not required for homes constructed on individually owned sites.

Response: This finding does not involve SCWA.

RECOMMENDATION NO. 5

The County establish or amend an ordinance to require equal flood prevention procedures for individually owned properties as for subdivision developments (Funding through local assessment districts may be appropriate).

Response: This recommendation does not involve SCWA.

FINDING NO. 6

Solano County cannot require landowners in flood prone areas to install flood protection (berms and building pads) when building in areas not designated by Federal Emergency Management Agency (FEMA) as a flood plain.

Response: This finding does not involve SCWA.

RECOMMENDATION NO. 6

The County establish or amend an ordinance to establish engineering requirements for new homes being built in areas defined by historical analysis as flood prone.

Response: This recommendation does not involve SCWA.

RECOMMENDATION NO. 3A

The Solano County Office of Emergency Services (OES) establish a single and clearly identifiable countywide telephone listing for receiving reports of flooding. The listing should be presented on the emergency page of telephone directories.

Response: This recommendation does not involve SCWA.

RECOMMENDATION NO. 3B

The OES institute a public information program at the approach of each rainy season to ensure the public is aware of the reporting procedures.

Response: This recommendation does not involve SCWA.

FINDING NO. 4

No agency within the County has procedures for recording a complete history and database of flooding within the County.

Response: SCWA agrees with this finding. SCWA does collect information regarding flooding events, but it is not comprehensive nor is it complete.

RECOMMENDATION NO. 4A

The OES, upon receiving a report of flooding, should record the event for long term analysis.

Response: This recommendation does not involve SCWA.

RECOMMENDATION NO. 4B

The County adopt the 1998 Flood Control Master Plan recommendation to obtain aerial photographs of all flooded areas immediately after a flooding event.

Response: This recommendation does not involve SCWA.

FINDING NO. 2

Flood control within Solano County is an optional responsibility of the SCWA that has received little attention. It has recently increased interest because of near loss of life from the December floods but continued, long-term interest against the more visible interest of water distribution is unlikely.

Response: SCWA disagrees with this statement. In 1998, the SCWA prepared a Flood Control Master Plan which addressed flooding issues which is the topic of the Grand Jury inquiry. Since then, SCWA has budgeted approximately \$400,000 per year for flood control activities to implement the Master Plan. In the current fiscal year, SCWA has budgeted over \$700,000 for implementing the Flood Control Master Plan. It is true that there is increased interest in flood control activities due to the severe flooding in certain parts of the County in the December 2002 storm event. The comment regarding that long-term interest in flood control is unlikely is speculative.

RECOMMENDATION NO. 2

The Solano County Board of Supervisors and SCWA request State legislation mandating that flood control responsibility be assigned to the Solano County Department of Environmental Management (DEM).

Response: This recommendation requires further analysis and a joint response with the Solano County Board of Supervisors. SCWA will respond within six months, likely in coordination with DEM.

FINDING NO. 3

Solano County residents have no readily identified process for reporting flooding situations.

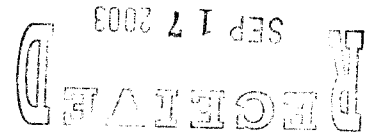
Response: SCWA agrees with this finding. SCWA is currently funding a program to increase public awareness of flood hazard situations in Solano County, but the program does not include a specific program for reporting flooding situations.

SOLANO COUNTY WATER AGENCY



September 12, 2003

Jack Morris, Foreman
2002-2003 Grand Jury
Hall of Justice
600 Union Avenue
Fairfield, CA 94533



Dear Mr. Morris:

This letter constitutes a response of the Solano County Water Agency to the 2002-2003 Solano County Grand Jury Interim Report regarding "Solano County Flood Control". The Solano County Water Agency Board of Directors authorized this letter at their September 11, 2003 meeting.

FINDING NO. 1

The Solano County Water Agency Act of 1988 identifies the need for flood control within Solano County but does not assign responsibility to any agency, regardless of threat risk.

Response: SCWA agrees with the finding, but notes that the Act authorizes SCWA to undertake flood control activities.

RECOMMENDATION NO. 1

The Solano County Board of Supervisors and the Solano County Water Agency (SCWA) request State legislation to establish direct responsibility on a County agency for flood control at specified levels of risk.

Response: Both the County and SCWA have authority to perform flood control functions. It is up to the governing board of both entities to determine the level of flood control that is appropriately performed by each agency in consideration of specific situations and available funding resources. Legislation requiring specified flood control activities would be inconsistent with each entity exercising its discretion regarding the level of involvement in flood control projects. SCWA is developing a Strategic Plan/Integrated Water Resources Plan that will examine whether the level of resources SCWA dedicates to flood control should change.



SCWA RESPONSE

The SCWA Board has directed staff to attempt to negotiate individual easements with landowners and report back to the Water Agency Board of Directors on May 8, 2003. If negotiations are not complete on all necessary easements, the SCWA Board of Directors will consider the Grand Jury's recommendation at that time or consider condemnation actions on remaining landowners.

COMMENTS ON PART III BACKGROUND

In several places there are references to the additional summer flow of water delivered from the Putah South Canal to the Maine Prairie Water District resulting in a change in the vegetation in Sweeney Creek, reducing its flood carrying capacity and causing increased sedimentation. While we acknowledge that the additional water in the summer does affect vegetation in the Creek, we do not have any knowledge or evidence that it is the sole cause of the change in vegetation in Sweeney Creek. Plantings by landowners and changes in maintenance practices could also significantly contribute to the change in vegetation in the Creek.

We wish to clarify Section 4b and 4c regarding environmental restrictions. While current laws and regulations require numerous permits for creek maintenance work, we are confident that we can acquire the necessary permits in a timely manner from the California Department of Fish and Game and other agencies. We have obtained these permits for other similar projects in Solano County.

The suggestions in item #6, regarding the wording in the easements, were helpful to identify areas that need changes or clarification. We have developed a new easement form which addresses most of the concerns identified by the Grand Jury and is currently being reviewed by the landowners. We do want to comment that although we had been circulating the standard easement agreement that the Water Agency has used in other parts of Ulatis Project, we have always transmitted those easements with a cover letter explaining that the terms of the easements are negotiable (within some bounds) for use on Sweeney Creek. Specifically, we have repeatedly told residents that roads and fencing and gates do not need to be included in the ultimately negotiated easement.

same date that the Water Agency Board of Directors changed to include the cities and districts, gives an impression that there was a change in policy regarding maintenance in Sweeney Creek with that change in the Board of Directors. The change in creek maintenance occurred well before the change in the Board of Directors.

Finding #5

The SCWA, which has optional authority for County flood control measures and is willing to provide ongoing maintenance, has elected not to maintain Sweeney Creek because appropriate easements have not been granted by all landowners.

SCWA RESPONSE

SCWA agrees with the Grand Jury that SCWA has optional authority to perform flood control measures. There are five parcels that SCWA can and has done channel maintenance work to a limited extent. We have not maintained other parts of Sweeney Creek because we have been unable to obtain easements to perform the work. We are still hopeful that we will be able to obtain the easements during 2003.

Finding #6

The easements required by SCWA and the landowners specify grants of more rights than are necessary for SCWA to maintain the creek for unimpeded flow.

SCWA RESPONSE

SCWA feels that all the terms in the easement agreements are necessary. Upon a recommendation from the Grand Jury and others, we have revised the easement documents to make them more acceptable to the landowners. Initial responses to the revised easement form from some of the landowners have been positive.

Finding #7

Intense distrust of SCWA officials by area residents is widespread among Sweeney Creek people interviewed by the Grand Jury.

SCWA RESPONSE

Since SCWA was not involved in the interviews, we have no ability to judge whether this finding is correct. Certainly, many of the landowners are dissatisfied by lack of action by public agencies in dealing with flood control matters in Sweeney Creek.

RECOMMENDATION

Landowners grant easements to SCWA to allow appropriate maintenance of Sweeney Creek by the following procedures.

- A. Landowners elect a spokesperson.
- B. Spokesperson and SCWA mutually agree on an outside third party negotiator.
- C. SCWA, each individual land owner, and the negotiator reach an agreement on appropriate easements.

RESPONSE TO INTERIM GRAND JURY REPORT

Finding #1

Residents adjacent to Sweeney Creek in Northern Solano County have experienced flooding with increased frequency and severity. Flooding occurred six times in 28 years and three times in the most recent years. The December 2002 flood reached the highest level of flooding in 28 years.

SCWA RESPONSE

SCWA does not have records of specific flooding events in the Sweeney Creek area. However, the occurrences listed in Finding #1 seem accurate. We agree that the December 2002 flood was the highest and most widespread that we are familiar with.

Finding #2

Summertime water flow through the creek which did not occur prior to operation of SCWA and its predecessor delivering water through the creek (approximately 1960) , has changed the vegetation cover near Sweeney Creek from grassy banks to heavy growth of trees, shrubs, and grass.

SWCA RESPONSE

The finding is correct that the use of Sweeney Creek to transport Solano Project water to the Maine Prairie Water District has resulted in increased summertime water flows through the Creek. We do not have any information as to whether that summertime water flow was the sole reason for the change in vegetation in Sweeney Creek. There could be other factors such as plantings by area residents and changes in maintenance practices that have resulted in increased vegetation.

Finding #3

Sediment deposits from impeded water movement in high flow situations has decreased the channel depth significantly and by at least two feet under the Hartley Road Bridge, further impeding flow.

SCWA RESPONSE

SCWA has not done measurements under Hartley Road Bridge but we agree that sediment has accumulated at the Hartley Road Bridge and other areas of Sweeney Creek. We believe that sediment deposition occurs continuously, not just during high flow events.

Finding #4

Clearing and preventative creek maintenance were performed by the Solano County Department of Transportation prior to 1988, albeit at a reduced scope after 1970.

SCWA RESPONSE

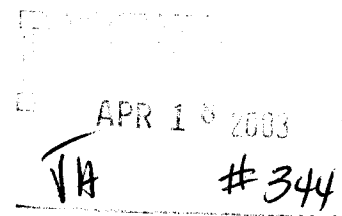
Our records are not complete; however, we believe that the creek maintenance was stopped prior to 1988, in the early 1980's. Use of the date 1988, that coincidentally is the

SOLANO COUNTY WATER AGENCY



April 10, 2003

Jack Morris, Foreman
2002-2003 Grand Jury
Hall of Justice
600 Union Avenue
Fairfield, CA 94533



Dear Mr. Morris:

This letter constitutes a response of the Solano County Water Agency to the 2002-2003 Solano County Grand Jury Interim Report regarding "Flooding along Sweeney Creek". The Solano County Water Agency Board of Directors authorized this letter at their April 10, 2003 meeting.

If you have any questions please contact the Agency's General Manager David Okita at 451-2904.

Sincerely,

Don Holdener, Chairman
Solano County Water Agency
Board of Directors

Attachment

CC: Michael Johnson, Solano County Administrator
Clerk of the Board of Supervisors
Judge Scott Kays, Presiding Judge of the Superior Court

A working group comprised of representatives from the Treasurer-Tax Collector-County Clerk's office, County Administrator's office, County Counsel's office, the District Attorney's office, Environmental Management, Assessor-Recorder and the Sheriff's Department has been established to address the business licensing process and monitoring and tracking procedures. It is estimated that a recommendation can be forwarded to the County Administrator within three months.

Cc: All listed Departments

MemoGrandJuryResponse9.23.03

Treasurer-Tax Collector-County Clerk

CHARLES LOMELI
Treasurer-Tax Collector-County Clerk

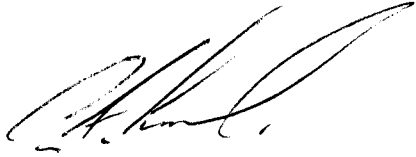
Irma Garza-Anderson, Assistant
Treasurer-Tax Collector-County Clerk



RECEIVED
Cheryl Peals
Tax Collections Manager
SEP 29 2003
Lori Butler-Slappy
County Clerk Division
SUPERIOR COURT, DEPT. 16
SCOTT KAYS

MEMORANDUM

TO: Scott L. Kays, Presiding Judge

FROM: Charles Lomeli, Treasurer-Tax Collector-County Clerk 

DATE: September 23, 2003

SUBJECT: Treasurer-Tax Collector-County Clerk Response to the 2002/2003 Grand Jury Report

Judge Kays:

Pursuant to Penal Code §933 and 933.05, the Solano County Treasurer-Tax Collector-County Clerk's Office comments on the following findings and recommendations pertaining to matters under the control of this office:

1. Solano County Zoning Code Enforcement

Findings 1, 2, 3, 5, 6 & 7 are not under the control of the Treasurer-Tax Collector-County Clerk.

Finding #4 – The BOS direct revision of Solano County Code Chapter 14 to:


- **Eliminate the Treasurer-Tax Collector from the business license process**
- **Assign the administrative processes of receiving the application and issuing the license to DEM**
- **Direct the development of computer interface between the offices of DEM, Solano County Assessor-Recorder, Solano County Treasurer-Tax Collector and the Solano County Sheriff's Office so that license requirements can be quickly and accurately verified.**

The recommendation requires further analysis to determine the most efficient process for the county and the public.

Resource Conservation Service. The District's services are open to all landowners and will be expanded as adequate funding and staffing allows.

Solano Resource Conservation District appreciates the Grand Jury input and looks forward to their continued input in the problems identified in Solano County.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Joseph R. Martinez". The signature is written in black ink and is positioned above the printed name and title.

Joseph R. Martinez, President
Solano Resource Conservation District

RECEIVED
NOV 3 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Solano Resource Conservation District

1170 N. Lincoln St. Suite 110
Dixon, CA 95620
(707) 678-1655

October 22, 2003

Honorable Scott Kays, Presiding Judge
Care of Solano County Superior Court Executive Office
600 Union Ave.
Fairfield, Ca 94533

Dear Judge Kays,

At its regular meeting of October 21, 2003, the Solano Resource Conservation District Board of Directors adopted the responses to Flood Control pertaining to the Solano RCD.

The Solano Resource Conservation District's responses are as follows:

Finding for #8A & #8B:

The District disagrees in part with this finding because the mission of the District is to promote conservation of the local resources by addressing control of water runoff, soil erosion, distribution of water, and the improvement of land capabilities. The District is not a permitting agency but provides service to local landowners through education, trainings, and assistance to the applicant through the permitting process.

Recommendation #8A:

Recommendation has been implemented in part such that the local Resource Conservation Districts work together with other cooperating agencies, including DEM, SCWA, and applicable Reclamation Districts, to provide information to local landowners through fact sheets, field owner guides and other informational aides. To the extent that large scale informative bulletins are recommended, this recommendation will be implemented provided the District receives adequate funding to produce such bulletins.

Recommendation #8B:

This recommendation has been implemented to the extent that the District provides assistance to landowners when requested in cooperation with the USDA Natural

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DEPUTY COUNTY COUNSEL

JESSICA H. PHILLIPS
DEPUTY COUNTY COUNSEL

September 29, 2003

To: Hon. Scott L. Kays, Presiding Judge

From: Dennis Bunting

Re: County Counsel's Response to 2002-2003 Grand Jury Report

Judge Kays:

Under Penal Code sections 933 and 933.05, the Solano County Counsel's Office responds to the following findings and recommendations that pertain to matters under the control of our office:

- 1. Solano County Zoning Code Enforcement.** This matter is not under the control of County Counsel. We will continue to provide legal assistance to the Department of Environmental Management. We presently pursue an effective notice-based, nuisance complaint procedure. A complaint is not filed until the Department has exhaustively attempted to secure voluntary compliance. We provided examples of our code enforcement actions to the grand jury. Such actions reflect the Department's ability to abate nuisances in a number of ways and to recover its administrative costs. We continually refine our procedures and evaluate complementary administrative remedies.
- 2. Homeacres Housing Rehabilitation Program.** This matter is not under the control of County Counsel. We will continue to provide advice to the Department of Environmental Management and the Board of Supervisors to secure the performance of Mercy Housing California.

Respectfully submitted,

Dennis Bunting
Solano County Counsel

cc: Board of Supervisors
County Administrator
Department of Environmental Management Director

provide dedicated space for the EOC (including adaptive reuse of vacated space not planned for demolition) should be identified and presented to the Board for consideration.

Finding #2 – Communications capabilities of the EOC do not satisfy requirements to control a complex emergency. (5)

Response to Finding # 2 – Solano County General Services concurs with this finding.

Recommendation #2 – Ensure the EOC needs are incorporated in the current County study that is developing interoperability of radio communication between dispatch centers and mobile units of County and city agencies.

Response to Recommendation #2 – We concur with the Grand Jury findings except to note that the Office of Emergency Services does currently have four FCC licensed radio channels at its disposal to use within Solano County to manage or coordinate any type of disaster, two of which are used as a high level repeater. These radio channels are programmed into the EOC radios.

The requirements of the EOC will be addressed by SECA as it attains the goals described in the Public Safety Radio Interoperability section.

Solano County Zoning Code Enforcement

Finding #6 – Solano County procedures do not ensure that businesses bidding on county contracts are in compliance with County laws. (2,10)

Response to Finding #6 – Solano County General Services disagrees with this finding because, pursuant to California law, County procedures require bidders on Public Works projects to submit confirmation of applicable licensure. All other parties contracting with the County must demonstrate compliance with applicable laws at the time of contract award.

Recommendation #6 – Ensure procedures in the Solano County Policy Manual revision clearly identify all lawful requirements of the bidder.

Response to Recommendation #6 – General Services agrees with this recommendation. Procedures are included and will be published in the revised Purchasing and Contracting Policy Manual clearly stating all lawful requirements of the bidder.

cc: Michael D. Johnson, County Administrator/Clerk of the Board of Supervisors

Response to Recommendation #1B – General Services concurs that a Joint Powers Authority be formed to oversee, coordinate and implement the emergency communication needs of Solano County. Several agencies on the above recommended list currently contract with Solano County to use its radio infrastructure and may be represented by Solano County in the JPA. These include Solano Community College, the Fire Districts and the Office of Emergency Services. SECA's Steering Committee has thus far recognized the financial hardship that these smaller agencies would be faced with and recommends that the County continue to provide the infrastructure and dispatch capabilities without requiring them to participate in the JPA. These agencies would be required to become "fee-for-service" end-users when an interoperable radio and data system is realized.

Finding #2 – Consolidation of dispatch centers would be more efficient and provide a significant overall cost savings. (9,10,11)

Response to Finding #2 – Solano County General Services concurs with this finding.

Recommendation #2 – A plan be formulated to implement two regional dispatch services in Solano County. This would provide a back-up in case one center becomes temporarily inoperable.

Response to Recommendation #2 – We concur with the goal of consolidating the six city and county dispatch centers (PSAPs), but it is possible that three regional PSAPs would prove to be more desirable. If SECA wishes to segregate all PSAPs based upon type of service requested, (all police by one PSAP and all fire/medical by a second PSAP) then the two-PSAP configuration would be plausible technically.

Standardized Emergency Management System

Finding #1 – The Emergency Operations Center (EOC) requires dedicated space to ensure complete operational capability is immediately available upon activation. (3)

Response to Finding #1 – Solano County General Services concurs with this finding.

Recommendation #1 – The Solano County Board of Supervisors monitor the building assignments plan during the renovation period of County buildings to ensure that the space currently planned for the EOC is not assigned to a less critical function.

Response to Recommendation #1 – General Services partially agrees with this recommendation and acknowledges that the EOC is a critical County function that should have dedicated space. Several existing County buildings in the downtown Fairfield campus will be vacated in whole or in part as a result of consolidating departments in the Government Center project. In early August 2003, a Steering Committee was formed to identify adaptive reuse opportunities for vacated facilities in the downtown Fairfield County campus.

In late June 2003, General Services presented the preliminary findings of the Adult Detention Needs Assessment and Master Plan to the Board of Supervisors. This Master Plan indicates the need to expand the existing adult detention facility in downtown Fairfield as early as 2008 based on current projections. If the Board adopts and implements the final Master Plan, the space that is currently planned for the EOC would be demolished to accommodate the expansion. On this basis, other viable options to

SECA continues to meet regularly, working towards measurable milestones such as the completion of a Memorandum of Understanding that should lead toward the inevitable Joint Powers Association, short and long term approaches to radio interoperability and data sharing, and recommendations to define the logical steps to consolidate the six PSAPs.

It is important to note the fiscal prerequisites necessary to fund a well coordinated radio communication system. The SECA steering committee recommends a phased approach to solve the radio and data sharing objectives, acknowledging the reality that the estimated cost of a long term and comprehensive solution would be approximately \$42 million to \$52 million. The short term solution for radio interoperability and data sharing would cost approximately \$3 million. This provides technology for interfacing existing disparate radio systems and foresees a common data "warehouse" for the Computer Aided Dispatch/Radio Management Systems, whereas the long term solution foresees a large countywide trunked radio system proportioned to each agency's specific requirements. The steering committee believes that it may be more realistic to secure funding in the form of Homeland Security grants and or grants earmarked specifically for radio interoperability. The amount of the grants is likely to be up to a few million dollars per year for the next 2 or 3 years, if we demonstrate the will to create a regional, multi-jurisdictional system.

The Grand Jury Report seems to emphasize the consolidation of PSAPs more than the other two objectives set by SECA. I concur with the steering committee in that we must resolve the radio interoperability and data sharing as prerequisites to the consolidation of PSAPs, lest we set the PSAPs up for failure in our haste to meet that specific objective. I do think that it is possible to continue to work towards consolidation and recognize that it could very well require 3 to 5 years to accomplish this goal.

The SECA steering committee accepted the Needs Assessment report performed by RCC Consultants Inc. and is currently using that report to form a recommendation to the City Managers and the County Administrator. It is also important to note that each PSAP does currently have the technology in place to set up audio patches from any radio channel that appears on the consoles to any other radio channel, albeit without clear guidelines on how and when to use this capability.

The Grand Jury's comments in Section V pertaining to the benefit for the County Emergency Operations Center to have access to an interoperable radio system is very true, although the EOC does already have a cache of deployable radios as well as mobile radios installed in the Mobile Command vehicle, thus affording them a means of communicating to any public safety agency within Solano County, including Travis AFB and each city.

Recommendation #1B – A permanent Joint Powers Authority be formed to oversee, coordinate and implement the emergency communication needs of Solano County. The Joint Powers Authority should consist of representatives from:

- Solano County
- Solano emergency Medical Services Cooperative
- The Cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, and Vallejo
- All Fire Districts within Solano County
- Solano Community college Police Department
- Solano County Office of Emergency Services



DATE: September 29, 2003

TO: The Honorable Scott Kays
Presiding Judge, Superior Court
% Superior Court Executive Office/Clerk of the Court

FROM: Veronica Ferguson, Director
General Services Department

SUBJ: RESPONSE TO THE 2002-2003 GRAND JURY FINAL REPORT

I wish to personally thank the Grand Jury for its constructive comments. I have reviewed the findings and recommendations stated in the Public Safety Radio Interoperability, the Standardized Emergency Management System, and the Zoning Code Enforcement sections of the 2002-2003 Solano County Grand Jury Report that affect General Services. The following information is provided in response to the information contained therein. If additional information or assistance relative to these responses is needed, please let me know.

Public Safety Radio Interoperability

Finding #1 – The radio communication system presently used throughout Solano County prevents effective emergency communication between local emergency providers (1,2,8).

Response to Finding #1 - General Services concurs that the radio communication system presently used could be more effective between local emergency providers.

Recommendation #1A – A coordinated radio communications system be implemented within Solano County to allow interoperability between public safety agencies.

Response to Recommendation #1A – General Services concurs with the recommendation. It corroborates the work that Solano Emergency Communications Activity (SECA) has undertaken, particularly in the past two years. There appears to be no reluctance from any of the affected public safety agencies, or from the City Managers and the County Administrator to move forward. Additionally, the the executive level of local government supports our efforts to date in the pursuit of the three primary objectives that we set for ourselves to attain:

1. Radio Interoperability amongst Public Safety Agencies within Solano County
2. The Sharing of Data amongst Public Safety Agencies within Solano County
3. The Consolidation of the Public Safety Answering Points (PSAPs)

ordinances *vis a vis* illegally operating businesses. Since then, we have met regularly, included additional departments and agencies, and are actively working to develop a more effective method to 1) identify illegally operating businesses, 2) conduct a thorough investigation, 3) take appropriate administrative action, and, if necessary, 4) refer the matter to the District Attorney for civil and/or criminal prosecution.

Moreover, the District Attorney's Office also continues to work with affected county agencies, as well as the various cities within Solano County, to develop a consistent and effective method of addressing county-wide code enforcement issues regarding blight. I remain firm in my belief that a "broken windows" approach is one of the key means of fighting crime. When code enforcement, law enforcement, and residents in the neighborhoods work together to eliminate blight, code violations, and unlawful business activities, the proven result is a significant reduction in both the number of violations and the seriousness of other crimes.

Over the coming months, I anticipate that the Board of Supervisors will have an opportunity to revise and update various ordinances dealing with code enforcement. The District Attorney's Office is committed to helping ensure that process is successful.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David W. Paulson", written over a horizontal line.

David W. Paulson
District Attorney

Cc: Solano County Board of Supervisors



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SOLANO

DAVID W. PAULSON
DISTRICT ATTORNEY

Douglas N. Keener
Chief Deputy

L. Kathryn Coffey
Chief Deputy

Mike Fernald
Chief Investigator

September 24, 2003

The Honorable Scott Kays
Presiding Judge, Solano County Superior Court
530 Union Avenue
Fairfield, CA 94533

Re: Response to the Annual Report of the 2002-2003 Grand Jury

Dear Judge Kays:

The following is submitted in response to the findings and recommendations of the 2002-2003 Solano County Grand Jury, as set forth in their Annual Report.

Background:

Although the Solano County District Attorney's Office is not listed as an "affected agency" in the Index of Affected Agencies on page vii of the Grand Jury's Final Report, it is listed regarding Solano County Zoning Code Enforcement, beginning on page 53. Since the District Attorney is responsible for prosecuting all violations of criminal law and also initiates civil actions for unfair business practices and violations of environmental laws, it is understandable why my office should be so listed.

Findings and Recommendations:

Finding #3: *The BOS [Board of Supervisors] has not utilized the opportunity to study and learn zoning enforcement procedures from neighboring counties in order to incorporate any useful ideas.*

Recommendation #2: *The B.O.S. [Board of Supervisors] direct the D.E.M. [Department of Environmental Management], Solano County District Attorney and County Counsel to review enforcement procedures and interdepartmental coordination of the neighboring counties and provide recommended changes to the county procedure.*

Response to Findings and Recommendations:

The District Attorney Does not concur with the Grand Jury's finding. In fact, almost a full year ago the District Attorney initiated meetings with the Department of Environmental Management and the County Counsel regarding enforcement of county

Sincerely,



Birgitta E. Corsello, Director
Department of Environmental Management

CC: Board of Supervisors (each board member)
Michael D. Johnson, County Administrator
Dennis Bunting, County Counsel
David Okita, SCWA
Gary Stanton, Sheriff
Bob Powell, OES

BC EM R:admin/current budget/0203/grandjury response final report

we necessarily possess the expertise to do so. It should be noted that currently applicants to the county pay fees which cover the cost for the services or permit approvals when the primary benefit is to the property owner or the applicant. The Board's current cost recovery policy requires that departments strive to develop fees that recover 100% of the cost of services.

The Grand Jury recommendation that existing county staff also provide assistance to property owners to complete required applications to the numerous others outside environmental agencies would require evaluating the resource demands as well as the budgetary and legal implications of this additional service for DEM. While we agree that assistance may be desirable and needed for the property owner who is unfamiliar with the requirements or may lack the expertise to deal with state and federal agencies, it is premature to assign these duties until other decisions relating to the overall level of flood control and the administration/responsibility for Flood Control are addressed by the SCWA and the Board of Supervisors. (Please refer to the earlier DEM responses related to the other recommendations contained in the 2002-2003 Grand Jury report regarding Flood Control.) Typically, a lead agency, in this case the one designated for countywide flood control responsibility would identify funding and operating priorities to meet the needs of the community, and as part of this it would also address public information, outreach, and permit assistance.

Finding #9 – Waterways on private urban and rural property are often not cleared of debris by the owners.

Recommendation #9 – The Solano County Board of Supervisors established an ordinance to require the maintenance by the property owner of waterways for which public agencies have no easement granted.

Departmental response: The Department of Environmental Management agrees with the statement made in finding # 9, however, the passing of an ordinance does not insure that urban and rural water ways will be cleared properly. DEM and the Board of Supervisors will first need to determine who or how enforcement would occur if this were to go forward. DEM will have to report back in six months.

Should the Grand Jury or any of their committees require clarification or additional answers, they should contact either the staff identified below or myself at (707) 421-6765.

For Information on the Standardized Emergency Management System- Birgitta E. Corsello & Mathew Geisert, EH Supervisor Haz. Mat. Section, Homeacres Housing Rehabilitation and Loan Program – Matt Welch, Senior Planner or Harry Englebright, Principal Planner in the Planning Services Section. For information on the Flood Control Plan , County Zoning Code Enforcement, County Building Code Enforcement in Allendale Area – Cliff Covey, Acting Building Official, David James, Code Enforcement Officer, Matt Tuggle, Civil Engineer.

owners consider alternatives. This will require a change in our permit intake and review process which should be in place prior to the commencement of the 2004 grading and building season.

Finding #7 – A small project grant program recipient cannot receive an additional grant for a similar project whether or not the condition was caused by factors beyond the landowner's control.

Recommendation #7 Revise the small project grant program to permit additional grants when the condition was caused by factors beyond the landowner's control.

Departmental response: No response is required from the Department of Environmental Management; however, the Department of Environmental Management is supportive of the recommendation.

Finding #8 – The large number of environmental agencies and a widespread lack of understanding environmental laws and procedures deters individual landowners and some governing officials from employing appropriate waterway maintenance.

Recommendation #8A – Appropriate agencies (SCWA, DEM, Irrigation Districts, and Resource Conservation Districts) coordinate the development of informative bulletins explaining environmental agencies' functions and require distribution to concerned landowners.

Departmental response: The Department of Environmental Management is supportive of the recommendation to develop informative bulletins for distribution, and will provide assistance as needed. Since drainage areas pass into and out of the cities, and residents move from cities or into the cities, the information developed could be done to serve more than one type of resident, but distributed by any of the agencies. We would propose that the work be coordinated through the existing Flood Control subcommittee lead by the SCWA. This group already includes the SCWA, DEM, the Resource Conservation Districts, and Solano Irrigation District as well as the cities. The SCWA has indicated in their response to this recommendation that it will lead the discussion and report back in 6 months.

Recommendation #8B – The Resource Conservation Districts promote a direct assistance program to help individuals complete required applications to the numerous environmental agencies. The DEM provide the same assistance for individuals not residing in a resource conservation district.

Departmental response: DEM currently provides assistance to property owners for applications that are processed by the County as part of processing the required permits and application. County staff are knowledgeable and able to provide assistance on the applications that the county requires and is responsible for. DEM is not currently staffed to provide assistance to individuals on other non-county permits and applications, nor do

Recommendation #4A The OES upon receiving a report of flooding should record the event for long term analysis.

Recommendation #4B The County adopt the 1998 Flood Control Master Plan recommendation to obtain aerial photographs of all flooded areas immediately after a flooding event.

Recommendation #4C The DEM review all reports and photographs of flooding for long term analysis to determine appropriate flood prevention and control measures.

Departmental response: The Department of Environmental Management is not required to respond to 4 A. DEM supports the recommendation to obtain photographs to document flooding. (4B) DEM will review reports and photographs of flooding for long term analysis to determine appropriate flood prevention and control measures as part of DEM current responsibility to look at on site drainage and as part of the requirements for Storm Water Pollution Prevention, however the SCWA and the Board will need to review and determine lead agency responsibility for flood control planning and management.

Finding #5 – Solano County has no ordinance that specifies flood prevention requirements (water runoff control) for homes constructed in subdivisions that is not required for homes constructed on individually owned sites.

Recommendations #5 – The County establish or amend an ordinance to require equal flood prevention procedures for individually owned properties as for subdivision developments. (Funding through local assessment districts may be appropriate).

Departmental response: The staff from the Department of Environmental Management agrees that flood protection is appropriate and will re-evaluate the current ordinances language in light of the past years experience.

Finding #6 – Solano County cannot require landowners in flood prone areas to install flood protection (berms & building pads) when building in areas not designated by FEMA as a flood plain.

Recommendation #6 – The County establish or amend an ordinance to establish engineering requirements for new homes being built in areas defined by historical analysis as flood prone engineering requirements for new homes being built in areas defined by historical analysis as flood prone.

Departmental response: DEM agrees that this is desirable to avoid future property damage by encouraging property owners to build outside flood prone areas; however, we can only require improvements if the FEMA maps identify an area as such, consequently staff is investigating ways to both advise and document available historical information on parcels that currently are not shown as flood prone on the FEMA maps, so we can advise property owners. DEM will not be able to establish an ordinance to require additional engineering for new homes being built in areas defined by historical analysis as flood prone if they are not on the FEMA maps, but we can recommend that property

appropriate between the SCWA and the County before pursuing clarifying state legislation.

Finding #2 – Flood Control within Solano County is an optional responsibility of the SCWA that has received little attention. It has recently increased interest because of near loss of life from the December floods but continued long term interest against the more viable interest of water distribution in unlikely.

Recommendation #2 – The Solano County Board of Supervisors and SCWA request state legislation mandating that flood control responsibility be assigned to the Solano County Department of Environmental management. (DEM)

Departmental response: DEM would encourage the Board of Supervisors and SCWA to evaluate and determine the level of flood control that is necessary or desired, and only then consider what government organization should be best suited to become the lead for this important public works function. This is currently a function that is shared by several agencies, however, it is a function that has in years past not been funded or staffed adequately to meet needs as they arose. The SCWA has increased its' resource commitments and the County has elevated the level of technical expertise of its' staff, but both legal and financial hurdles remain.

Futhermore, DEM respectfully disagrees with the Grand Jury recommendation that DEM be the lead agency. A comprehensive flood control program includes public education, implementation of regulations, and typically include the funding and oversight of a range of flood control projects, both small and large construction projects designed to resolve problems by removing or moving either the water or the structures that are in the path of the water. The Grand Jury recommendation is not consistent with the Board of Supervisor 2001 decision and indication that the Department of Environmental Management should not and would not be the county's public works operation, instead the Board indicated that County lead for public works should be assigned the Department of Transportation.

Finding #3 – Solano County residents have no readily identified procedure for reporting flooding situations.

Recommendation #3A – The Solano County OES establish a single and clearly countywide telephone listing for receiving reports of flooding.

Recommendation #3B – The OES institute a public information program at the approach of each rainy season to insure the public is aware of the reporting procedures.

Departmental response: No comment or response is required from the Department of Environmental Management.

Finding #4 – No agency within the county has procedures for recording a complete history and database for flooding within the county.

Recommendation #3 – The Solano County Board of Supervisors take appropriate action to ensure its agents and contractors meet all contract requirements.

Departmental response: The recommendation will be addressed in FY2003-2004 and should be implemented prior to re-starting the loan program. This past spring (2003), the Board of Supervisors authorized DEM staff to suspend the loan program for up to two years to allow the County contractor to audit the status of participants that have an income eligibility requirement for the existing loans, as well as allowing staff time to review of the program elements, and the performance of the existing contractor. In addition, several of the Board members, requested that staff review of the program administration options, explore re-soliciting for program administration proposals before restarting a loan program outreach effort.

Finding #4 – No alternate procedure regarding contract requirements for industry standards is established to provide homeowner assistance if the individual disputes the contract administrator inspection decision. .

Recommendations #4 – The Solano County Board of Supervisors direct an addition to the program contracts that specifies an alternate procedure to resolve contract and industry standard disputes.

Departmental response: The Department of Environmental Management agrees with the 2002/2003 Grand Jury recommendations. DEM staff as part of the program review shall review and amend the program administration contract. The program administration contract should specify that there be an alternate dispute resolution process and it should clearly define what, how and who will be responsible for inspection of work for compliance with industry standards.

**Grand Jury Final Report 2002/2003
Solano County Flood Control Study (page 65-72)**

IV. Findings and Recommendations

Finding #1 – The Solano County Water Agency Act of 1988 identifies the need for flood control within Solano County but does not assign responsibility to any agency, regardless of the treat.

Recommendation #1 – The Solano County Board of Supervisors and Solano County Water Agency request State legislation to establish direct responsibility on a County agency for fold control at specified levels of risk.

Departmental response: The Department Environmental Management would encourage the Board of Supervisors and the County Administrator to look at the model we have today and engage in a discussion about the level of flood control that is necessary or

dedicated staffing, including increases in dedicated staff for enforcement in both DEM and County Counsel. In addition, the Board of Supervisors has supported and provided funding to update the Zoning Ordinance, complete the Zoning Consistency program, develop automation tools to help staff compile and track complaints and identify violations.

**Grand Jury Final Report 2002/2003
County Building Code Enforcement in Allendale Area (pages 58-60)**

IV. Findings and Recommendations (page 59)

Finding #1 – The County requirement of providing direct notification of public hearings for permit procedures does not meet the needs of rural property owners. The current code only requires that property owners within 500 feet of the affected property are to be notified tens days prior to the hearing and notices be published in the local newspapers.

Recommendation # 1 – All applicable county codes be changed for rural properties to require notification of all property owners within one-half mile of the affected properties.

Departmental response: Currently the zoning code and county subdivision code require that the county give 15 day notice to all adjacent property owners within 500 feet of the property line of the parcel on which a land use project is proposed. DEM has been working on updates for both the Zoning ordinance and the Subdivision Ordinance that we plan to propose to the Planning Commission and Board of Supervisors to consideration in FY03/04. DEM staff agrees that the current 500-foot notification is often inadequate in the rural residential, but may be sufficient in the Rural Estate zoning district. DEM staff is already looking at noticing needs for the Agricultural Zoning district and will include the Grand Jury recommendation in the updates presented to the Planning Commission and BOS for their consideration in FY03/04.

**Grand Jury Final Report 2002/2003
Homeacres Housing Rehabilitation Program (pages 61-64)**

IV. Findings and Recommendations (page 63)

Finding & Recommendation #1 – Grand Jury report indicates no further response required by department.

Finding & Recommendation #2 – Grand Jury report indicates no further response required by department.

Finding #3 - The response to the 2001-2002 Grand Jury Final Report and current testimony does not indicate any action by the County to revise contracting procedures to ensure contract enforcement by County Officials.

- Direct the development of computer interface between the offices of DEM, Solano County Assessor Recorder, Solano County Treasurer- Tax Collector and the Solano County Sheriff's office, so that license requirements can be quickly and accurately verified.

Departmental response:

The decision to remove the Treasurer- Tax Collector and transfer the duties to DEM is currently being evaluated as part of a group review effort lead by the County Administrator's office and County Counsel jointly, which began earlier the summer as part of an ordinance review & update of Solano County Code Chapter 14. Several departments including the Treasurer- Tax Collector, the Sheriff, the District Attorney, and DEM are involved in reviewing and suggesting revisions. The decision on whether to transfer the responsibility to DEM from the Treasurer-Tax Collector is still under consideration and would require discussions and decisions on staffing and costs or fees. The transfer of the duties, however, will not in and of itself address or resolve the Grand Jury's primary concern about businesses operating without permits or in inappropriate zoning districts and the need for enforcement. This would remain as a code enforcement issue, which is also under review presently.

DEM and the Assessor- Recorder already have an electronic interface utilizing the SCIPS secondary data screens, which enables the exchange information including business license. The Treasurer-Tax Collector also has access to this system, but the Sheriff does not. The Grand Jury recommendation, however, would fit more completely within the data fields in a countywide GIS. The Board of Supervisors funded a countywide GIS project in FY01/02. The project, which will include all parcels in the county and data about the parcels, is in its second year of development and it will be sometime before it is fully functional. In the interim the departments involved are meeting to develop a procedure and ordinance changes to better regulate businesses operating in the unincorporated county without a business license.

Finding #7– The BOS has not evaluated the direct cost to the County, economic cost to the residents, and the morale costs to the community, of sanctioned disregard of county zoning ordinances.

Recommendation # 7 – The BOS direct a study to evaluate the referenced costs.

Departmental response: DEM is not aware if such a study has been conducted elsewhere that could be used as a model or sample, but if one exists we believe the BOS, CAO, and DEM would give it serious consideration. DEM staff is unclear what it would entail or how much a study of the economic cost to the residents, and the morale costs to the community from the current level of zoning ordinance enforcement cost to perform so we are not able to respond further to the recommendation at this time.

However, DEM does want to note that we disagree with the characterization that the BOS sanctioned disregard of county zoning ordinances and since 1993, the BOS has provided

Recommendation #2- The BOS increase and fund personnel authorizations to the level necessary to effectively enforce zoning codes.

Departmental response: The Board of Supervisors did fund and authorize an additional Code Enforcement Officer position in the FY01/02 budget. The Department Director opted to hold the new position vacant through June 2003 Budget hearings, rather than face the potential for a layoff situation as Board was forced in February 2003 to require all departments to prepare and submit up to 20% reduction plans for their operating budgets for FY02/03. These reduction plans were requested as a result of the anticipated county impacts from the State Budget shortfalls and budget crisis. Code Enforcement has been identified as an important function and program by the Board of Supervisors as evidenced by their willingness to continue to fund positions in FY02/03, despite the fact that it is not a state or federal mandated program and it does not directly generate funds to cover the operating costs of such a program. The BOS has a business responsibility to have a balanced operating budget, and has many mandated services and programs, consequently, when resources are limited, county services and programs must be prioritized. The Department of Environmental Management (DEM) also has mandated programs and services in addition to non-mandated programs that serve the public. The Board and the County Administrator have supported additional time for DEM to further review and evaluate the current code enforcement efforts and options, focusing on utilizing existing available resources more effectively to maximize the program impact on the communities in lieu of additional resources.

Finding #3- The BOS has not utilized the opportunity to study and learn zoning enforcement procedures from neighboring counties in order to incorporate any useful ideas.

Recommendation # 3 - The BOS direct the DEM, Solano County District Attorney (DA) and County Counsel to review enforcement procedures and interdepartmental coordination of the neighboring counties and provide changes to the county procedures.

Departmental response: While the BOS has not formally directed the three departments during 2002/03 to review enforcement procedures and the programs of several neighboring counties, discussion between the three departments began early in 2003. The three have met several times and have identified opportunities as well as a need to revise existing ordinance language to more effectively facilitate code enforcement.

Finding #4- One Third of the Businesses surveyed in the Homeacres area have no business license.

Recommendation # 4 - The BOS direct the revision of Solano County Code Chapter 14 to:

- Eliminate the Treasurer- Tax Collector from the Business License process.
- Assign the Administrative processes of receiving the application and issuing the license to DEM.

businesses that have reportable quantities of Hazardous Materials on the properties. (Reportable materials and quantities are defined state code.) The Hazmat staff from the County review and inspect businesses to insure proper storage, handling, training, disposal, and verify that emergency preparedness plans exist and are utilized by these businesses. As such the county provides information and support to the First Responders (Fire & Law Enforcement) with regards to hazardous materials and the businesses. The County Hazmat staff, however, is not and has not been responsible for emergency response capability beyond that of local support. There is no state mandate nor has past experience or have risk assessments overwhelming supported the need for a local Hazmat Entry Team, but that can and may change over time.

IV. Findings and Recommendations (page 51- 52)

Finding #4- Of 82 hazardous material incidents that occurred within Solano County since January 1998, five exceeded the capability of Solano County agencies. These incidents were satisfactorily controlled by trained Hazmat Entry Teams from the city of Sacramento and Napa County in accordance with Memorandum of Understanding (MOU)

Departmental response: The Department of Environmental Management agrees with the finding. The statistical information was collected and provided by the Department of Environmental Management.

Recommendation #4- The Solano County Board of Supervisors carefully evaluate the comparative financial and response advantages a certified Hazmat Entry Team, of developing multi-agency teams, or continuing Memorandums of Understanding with certified Hazmat Entry Teams from non-county resources.

Departmental response: Recently, the Department of Environmental Management has worked in cooperation with the County Sheriff's Department - Office of Emergency Services and the Solano County Fire Chief's Association, with the assistance of a consultant to conduct a desktop exercise testing the Solano Area Hazardous Materials Response Plan. The three groups continue to look at and evaluate the advantages of a local certified Hazmat Entry Team and how it might be staffed, funded, and maintained in light of the limited resources and relatively low demand here to for. It is expected that through the Office of Emergency Services and the current work in Bioterrorism preparedness, a report will be prepared and presented the Board of Supervisors.

Grand Jury Final Report 2002/2003 Solano County Code Enforcement (pages 53-57)

IV. Findings and Recommendations (pages 55-56)

Finding #2- The BOS increase and fund personnel authorizations to the level necessary to effectively enforce zoning codes.



Department of
Environmental Management
601 TEXAS STREET
FAIRFIELD, CALIFORNIA 94533-6301
www.solanocounty.com

RECEIVED
SEP 30 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Environmental Management
(707) 421-6765 FAX (707) 421-4805

Birgitta E. Corsello, Director

September 29, 2003

Judge Scott Kays, Presiding Judge
Superior Court
C/O: Superior Court Executive Officer/ Clerk of the Court

SUBJECT: Response to the 2002/2003 Solano Grand Jury Final Report From the
Department of Environmental Management

Dear Judge Kays:

Staff from the Department of Environmental Management has reviewed the 2002/2003 Grand Jury report and hereby provides our written responses to the findings and recommendations included in the report that pertain to programs the department is involved with. We have prepared our responses consistent with California Penal Code section 933.05 (a) & (b) and as stated the directions included on page vi of the 2002/2003 Grand Jury Final Report. There are five sections of the grand jury report that address areas for which the Department of Environmental Management, under the general direction and/or authority of the Board of Supervisors, has either lead or support responsibilities. We have organized our responses to address each section of the grand jury report and the associated findings and recommendations separately.

Grand Jury Final Report 2002/2003
Standardized Emergency Management System (pages 49-52)

III. Background

Departmental correction to statement Page 50 Statement #10: This section includes the following statement" The Solano County Department of Environmental Management (DEM) is actively involved through its Hazmat Section. This Section has responsibility, as prescribed by. Law for regulatory compliance in storage, handling, and transportation of hazardous materials within the county and for emergency response capability."

Departmental response: The second sentence of this statement is not quite accurate. DEM is by county ordinance, state regulations and through State agreements the Certified Unified Permit Agency (CUPA) for the entire county (incorporated and unincorporated areas). This role deals with the responsibility for review, inspection, and oversight of

Response to Grand Jury 2002-03

September 29, 2003

Therefore, although the Assessor/Recorder's Office agrees that computer interface between the departments as identified in Recommendation #4 would make the verification of license requirements more efficient, it cannot legally implement this recommendation.

Sincerely,

A handwritten signature in black ink that reads "Skip Thomson". The signature is written in a cursive, flowing style.

SKIP THOMSON
Assessor/Recorder

cc: Solano County Board of Supervisors

MAIN OFFICE

Public Hours: 8am – 5pm
600 Texas Street
Fairfield, CA 94533

Real Property (707) 421-6210
Fax (707) 421-7046

Personal Property (707) 421-6232
Fax (707) 435-2475

Administration (707) 421-6200
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ASSESSOR / RECORDER
SKIP THOMSON

HALL of RECORDS

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Vital Statistics (707) 421-6294
24 hr Recorded Info (707) 421-6293

Assessment Information (707) 421-6265
Ownership Transfer (707) 421-6247
Mapping Services (707) 421-6240
Fax (707) 435-2622

September 29, 2003

The Honorable Scott Kays
Presiding Judge, Solano County Superior Court
530 Union Avenue
Fairfield, CA 94533

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SEP 30 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Response to the Annual Report of the 2002-2003 Grand Jury

Dear Judge Kays:

The following is submitted in response to the findings and recommendations of the 2002-2003 Solano County Grand Jury, as set forth in their Annual Report.

Findings and Recommendations:

Finding #4 - One-third of businesses surveyed in the Homeacres area have no business license.

Recommendation #4 - The Board of Supervisors (BOS) direct revision of the Solano County Code Chapter 14 to:

- Eliminate the Treasurer-Tax Collector from the business license process
- Assign the administrative processes of receiving the application and issuing the license to Department of Environmental Management (DEM)
- Direct the development of computer interface between the offices of DEM, Solano County Assessor-Recorder, Solano County Treasurer-Tax Collector and the Solano County Sheriff's Office so that license requirements can be quickly and accurately verified.

Response to Findings and Recommendations:


A great deal of the information collected by the Solano County Assessor/Recorder is confidential. The Assessor/Recorder cannot disclose the information to third parties unless specifically authorized to do so by statute. The Assessor/Recorder has no statutory authority to share this confidential information with the Department of Environmental Management.

Recommendation #2: A plan be formulated to implement two regional dispatch services in Solano County. This would provide a back up in case one center becomes temporarily inoperable.

Response: The County Administrator's Office concurs with the findings of the Grand Jury. The County has been one of the major planners and architects of the proposed Communications Interoperability study that has evolved into the Solano Emergency Communications Activity (SECA) work group. The SECA mission is to improve public safety radio communication compatibility in Solano County, with a final goal to have a unified communications system that is compatible with, and serves the needs of, all local safety organizations, State CHP and OES and several federal agencies including Travis AFB and the FBI.

The East Vallejo Fire Protection District was established for the purpose of disbursing special assessment revenues collected within the District's jurisdiction for fire protection services to citizens in the District which is an unincorporated pocket surrounded by the City of Vallejo. This District does not directly hire any fire protection staff. The fire protection services are performed under a contract with the City of Vallejo Fire Department and they are active participants in the work group that is working to address the incompatibility of the various radio systems in the County.

Sincerely,


Michael D. Johnson
County Administrator

COUNTY ADMINISTRATOR'S OFFICE

MICHAEL D. JOHNSON
COUNTY ADMINISTRATOR
COUNTY OF SOLANO



RECEIVED
COUNTY ADMINISTRATOR'S OFFICE
580 W. TEXAS STREET
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FAX (707) 421-7975
SEP 29 2003
SUPERIOR COURT, DEPT. 16
SCOTT KAYS

September 29, 2003

Scott Kays, Presiding Judge
Solano County Superior Courts
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

**East Vallejo Fire Protection District
Response to the 2002/2003 Solano County Grand Jury Final Report**

Public Safety Radio Interoperability (Page 44)

Finding #1: The radio communication system presently used throughout Solano County prevents effective emergency communication between local emergency providers. (1,2,8)

Recommendation #1A: A coordinated radio communication system is implemented within Solano County to allow interoperability between public safety agencies.

Recommendation #1B: A permanent Joint Powers Authority be formed to oversee, coordinate and implement the emergency communications needs of Solano County. The Joint Powers Authority should consist of representatives from:

- Solano County
- Solano Emergency Medical Services Cooperative
- The cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville and Vallejo.
- All Fire Districts within Solano County
- Solano Community College Police Department
- Solano County Office of Emergency Services

Finding #2: Consolidation of dispatch centers would be more efficient and provide a significant overall cost savings. (9,10,11)

For us to place a restraining bar in the police facility, we would need to be in compliance with Title 15 & 24 of the California Code of Regulations. Under these strict guidelines and regulations, specific criteria must be met regarding building construction and design. In addition, extra staffing would be needed to watch and maintain the safety of the restrained person. Not only would this be expensive to maintain, it would not be an efficient way to conduct business, since the end result is to immediately transport the arrestee after pre booking, to the detention facility in Fairfield.

Regarding the Public Safety Radio Interoperability report. There is a note-worthy error in the final draft of the written report. The report states, "The Rio Vista Police Department contracts with Contra Costa County for law enforcement communications services which also eliminates their ability to communicate directly with other law enforcement agencies". It should be noted that the Rio Vista Police Department does have radio capability to communicate with several law enforcement, fire agencies and local ambulance agencies within Solano County, Contra Costa County and our neighboring agency Isleton Police Department, located in Sacramento County.

Each of our two-way radios is equipped with sixteen channels. They are programmed for us to speak directly to several agencies in our area. In addition, our dispatch Center in Martinez provides us with the capability to patch our two-way radios into all law enforcement, fire and other emergency services radio frequencies within our sphere of influence in just a few minutes notice during any emergency situation. The equipment that Contra Costa County provides our agency is something that the Solano County Sheriff's Office and the Solano Emergency Communications Activity group (SECA), which consists of Solano County Law Enforcement Municipalities, Fire Departments and other Emergency Services agencies in Solano County, hope to purchase in the near future.

I would like to extend my appreciation to the members of the Solano County Grand Jury. Their tireless efforts on behalf of the citizens of Solano County are very much appreciated. I look forward to working with the 2003/2004 Grand Jury.

Sincerely,



Clifford D. Barnett
Chief of Police

Cc: City Council
City Manager
File

RIO VISTA POLICE DEPARTMENT

CLIFFORD D. BARNETT
Chief of Police



50 POPPY HOUSE ROAD
P.O. BOX 745
RIO VISTA, CA 94571
(707) 374-6367
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RECEIVED
SEP 11 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

September 10, 2003

The Honorable Scott L. Kays
Presiding Judge, Solano County Superior Court
600 Union Avenue
Fairfield, California 94533

Re: 2002-2003 Solano County Grand Jury Report

Dear Judge Kays:

Pursuant to Section 933(b) of the California Penal Code the City of Rio Vista is hereby submitting comments to the 2002/2003 Solano County Grand Jury Report.

As the newly appointed Chief of Police, I am responding to the Grand Jury Report regarding the Solano County Detention Holding Facilities inspections and the Public Safety Radio Interoperability. In reference to the Solano County detention holding facilities, although there is a recommendation to install a restraining bar, this recommendation will not be implemented because it is not warranted and it is not reasonable based on the following conditions.

We do not have a detention, or holding facility at the police department. By law, we are not required to maintain one. Our Police Department is designed strictly for purposes of conducting the essential functions of day-to-day operations. This includes the prebooking of non-violent prisoners only. On the average, prebooking takes 20 to 30 minutes. The prebooking process consists of completing the arrest and detention sheet, taking a photograph of the arrestee and fingerprinting them. All of these steps are accomplished on the Automated Fingerprint Identification System, (AFIS), which is located in our prebooking room. During the prebooking process, the arrestee remains handcuffed up until the time fingerprints are needed. During fingerprinting the handcuffs are then removed and once fingerprinting is completed, the handcuffs are put back on. The arrestee is then transported to the Solano County Sheriff's detention facility and turned over to the jail staff.

If an officer in any way feels that the arrestee is violent, or that they will become violent, they are directed to take them straight to the jail for processing and not to our office. Additionally, if an officer makes an arrest on a non-violent offender and there are no other officers available at the office to assist, the officers will bypass the prebooking process and go directly to the jail without prebooking.

Finding #3-Fluid was noted on the floor of the empty holding cell.

Recommendation #3-The holding cells should be cleaned and inspected after each use.

Response #3- There was a small amount of some type of fluid on the floor at the time of the inspection. It was probably from the previous prisoner's stay, as it is our policy to keep the room as clean and safe as possible. If officers notice such a spill upon inspection, they are required to clean it up or make immediate arrangements with janitorial staff to do so. There are paper towels available in that room for that purpose. All staff also have access to a mop if necessary. If a liquid is believed to be a biological fluid, arrangements would be made to clean and sterilize the immediate area as soon as possible (certainly before any other prisoner was detained there). It appears that the last officer to use the cell did not observe this fluid- or perhaps failed to arrange for immediate clean up if it was observed. Either way, we need to do careful inspections of the cell between each use and appropriately clean any foreign material or fluid. It is not believed that it is necessary to actually clean the cell after each use, unless there is some clear need. However, janitorial services clean the holding area daily.

Finding #4- The Sally port, in addition to its intended use, is used for storage and auto repair.

Recommendation #4- To ensure safety to the staff and prisoners, the sally port area be cleared and used only as intended.

Response #4- The sally port of this department has been a multi-use area for over 30 years. One of the primary purposes is a passage to transfer prisoners from the outside the police department into the holding cell area. However, our sally port is large enough to have other uses, including some storage (a row of found bicycles on the opposite end of the sally port from the holding cell entrance) and an auto repair shop. Although there are several prisoners escorted through the sally port in handcuffs each day, the sally port has ample room for other activities and was designed with that intention.

Over the years the vehicle repair function has expanded, which has also expanded the amount of room in the sally port necessary to do the job. Therefore, we are currently in the process of transferring the vehicle repair function to another site away from the police building (The City Fire Department Stations on Union Avenue will be used for that purpose as soon as the new Fire station is completed on Kentucky St.) That will improve the prisoner transfer function and allow easier and more convenient use for that purpose. Due to the large area of the sally port, there will continue to be more than one purpose, but we will be careful to assure that there is ample room to safely fulfill the prisoner transfer purpose.

The holding area is inspected by several organizations each year. Each organization has different concerns and interests. We will make every effort to comply with the requirements of each, as we have a desire to have a safe, clean, and well functioning holding area. We appreciate the observations and comments of the Grand Jury, which will assist us in our efforts.

MEMORANDUM

August 22, 2003

TO: Chief Gresham
FROM: Captain Baird
SUBJECT: Grand Jury Report

The following are responses to the "Findings and Recommendations " of the Grand Jury Report, regarding the Fairfield Police Department (see page 33 of the report).

Finding #1- The Captain did not know the combination of the holding cell area. This would be a problem in an emergency.

Recommendation #1- All personnel authorized to the holding cell area be required to know the combination.

Response #1- There are and have been several combinations and numbers which are used for a variety of purposes at the police dept. Those combinations and numbers change periodically for security reasons. The role of captain requires the use of the holding cell area relatively rarely- it is not unreasonable that there could be a momentary lapse of memory regarding the combination to the door. We are very confident that those who use the cells with any regularity are very familiar with the combination. In addition, there is a push button at the door entrance that is connected to and monitored by the Dispatch Center, so it can be opened electronically. There is also a key that opens the exterior door, which is issued to all officers.

Finding #2- There are two holding cells. One was not being used because of repairs. The other cell was not currently occupied and had a piece of wood dangerously protruding from the ceiling vent.

Recommendation #2-Repairs be made to eliminate any dangerous conditions and be performed in a timely manner.

Response #2- The cover for the ceiling vent was missing. It is not known how this occurred or when. The opening of the vent was framed by 2"x 4" sections of lumber. A small piece of one of those boards protruded slightly from the framed area, extending a few inches. This was approximately 8' high from the floor. Whether that should be described as "dangerously protruding" is debatable; however, it was a defective condition which needed to be addressed and was repaired shortly after the inspection. We also agree that defective and /or dangerous conditions should be repaired in a timely manner.

Finding #3 – Fluid was noted on the floor of the empty holding cell.

We agree with this finding.

Recommendation #3 – The holding cells be cleaned and inspected after each use.

Recommendation has been implemented. Officers are required to clean the holding cells or notify janitorial staff after each use. A new supply of biohazard towels has been added to the holding area for use by officers. Janitorial staff cleans the holding area daily.

Finding #4 – The Sally Port, in addition to its intended use, is used for storage and auto repair.

We agree with this finding. Storage and auto repair are also part of the Sally Port's intended use.

Recommendation #4 – To ensure safety to the staff and prisoners, the Sally Port area must be cleaned and used only as intended.

Recommendation has been implemented. Additionally, future improvements will be noted when the vehicle repair and maintenance operations are moved to a new facility on Union Avenue within the next 6 months.

WILLIAM R. GRESHAM

Chief of Police



Fairfield Police Department

Telephone: 428-7366

MEMORANDUM

TO: Kevin O'Rourke, City Manager

FROM: Bill Gresham, Chief of Police

DATE: September 23, 2003

SUBJECT: Response to 2002/2003 Solano County Grand Jury Report

Attached is a memo from Captain Brent Baird with detailed responses to the Grand Jury Report on Detention / Holding Facilities. Those responses are summarized below:

Finding #1 – The Captain did not know he combination of the holding cell area. This would be a problem in an emergency.

We agree with this finding.

Recommendation #1 – All personnel authorized to enter the holding cell area be required to know the combination.

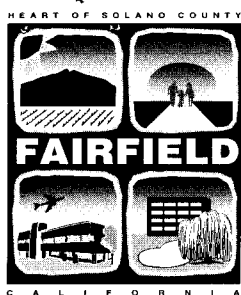
Recommendation has been implemented. New procedure has been added to Procedure Manual regarding access to the holding cell area.

Finding #2 – There are two holding cells. One was not being used because of repairs. The other cell was not currently occupied and had a piece of wood dangerously protruding from the ceiling vent.

We agree with this finding.

Recommendation #2 – Repairs be made to eliminate any dangerous conditions and performed in a timely manner.

Recommendation has been implemented. The defective condition was repaired shortly after the Grand Jury inspection.



Home of
Travis Air Force Base

CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

RECEIVED
SEP 26 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

September 24, 2003

COUNCIL

Mayor
Karin MacMillan
707.428.7395
Vice-Mayor
Harry T. Price
707.429.6298
Councilmembers
707.429.6298
Jack Batson
John English
Marilyn Farley
...
City Manager
Kevin O'Rourke
707.428.7400

...
City Attorney
Greg Stepanicich
707.428.7419
...
City Clerk
Gina Merrell
707.428.7384
...
City Treasurer
Oscar G. Reyes, Jr.
707.428.7497

DEPARTMENTS

Community Services
707.428.7465
...
Finance
707.428.7496
...
Fire
707.428.7375
...
Human Resources
707.428.7394
...
Planning &
Development
707.428.7461
...
Police
707.428.7551
...
Public Works
707.428.7485

Honorable Scott Kays
Presiding Judge, Solano County Superior Court
c/o Superior Court Executive Officer/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

RE: Solano County 2002/2003 Grand Jury Report
Fairfield Police Department Holding Facilities and Sally Port

Dear Judge Kays:

I have reviewed the Grant Jury Report pertaining to the Fairfield Police Department Detention/Holding Cell area. Attached is our response to *Findings and Recommendations #1 - #4* listed on page 33 of the report. As always, it is a pleasure to work with the members of the Solano County Grand Jury to insure the best services we can provide to our constituents. If you have any questions in regards to my response, please feel free to contact me directly at 428-7366.

Respectfully,

WILLIAM R. GRESHAM
Chief of Police
Fairfield Police Department

FAIRFIELD POLICE DEPARTMENT
WILLIAM R. GRESHAM
CHIEF OF POLICE



c: Nancy Huston, CMO

1000 WEBSTER STREET
FAIRFIELD, CA 94533
PH: 707/428-7366
FAX: 707/422-5030
E-MAIL: wgresham@ci.fairfield.ca.us

"Caring, Communication, Courage"

Finding 2:

"Consolidation of dispatch centers would be more efficient and provide a significant overall cost savings."

Response to Finding 2:

The City partially agrees with the finding. The City agrees that consolidation may be more efficient and cost effective for reference; the City of Dixon has consolidated its dispatch by contracting with the Solano County Sheriffs Department. However the significance of cost and efficiency savings countywide would have to be determined as the Steering Committee and agencies develop and evaluate possible implementation plans.

Recommendation 2:

"A plan be formulated to implement two regional dispatch services in Solano County. This would provide a back-up in case one center becomes temporality inoperable."

Response to Recommendation 2:

The City agrees with this recommendation that two dispatch centers provide redundancy. The recommendation will be considered and discussed as the Steering Committee continues working on the draft Solano Emergency Communication Activity M.O.U. and anticipates the completion of the MOU within the next six to eight months.

Very truly yours,



Mary Ann Courville
Mayor

Cc: City Council
Solano County Administrator
Clerk of the Board, Solano County
File

Investigation: Public Safety Radio Interoperability

“The Solano County Grand Jury identified a serious problem that currently exists within Solano County concerning the public safety radio and communication systems. These systems operate independently with no coordination and little interoperability among police, fire, and medical agencies.”

Finding 1:

“The radio communication system presently used throughout Solano County prevents effective emergency communication between local emergency providers.”

Response to Finding 1:

The City agrees with finding 1.

Recommendation 1A:

“A coordinated radio communication system be implemented within Solano County to allow interoperability between public safety agencies.”

Recommendation 1B:

“A permanent Joint Power Authority be formed to oversee, coordinate, and implement the emergency communication needs of Solano County. The Joint Powers Authority should consist of representatives from:”

- Solano County
- Solano Emergency Medical Services Cooperative
- The Cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, and Vallejo
- All Fire Districts within Solano County
- Solano Community College Police Department
- Solano County Office of Emergency Services

Response to Recommendation 1A/B:

The City agrees with these recommendations. The City of Dixon has been actively involved in the working group that was formed in 2001 to address the incompatibility of the various radio systems within Solano County. The Police and Fire Chief routinely attend the Steering Committee meetings and have had input in the development of a draft Memorandum of Understanding for the formation of the Solano County Communication Activity which, if approved by these agencies, could lead to a Joint Powers Authority in the future. The Steering Committee anticipates the completion of the MOU in the next six to eight months. A projected date for the JPA is sometime prior to 2008.

Response to Recommendation 1:

The City agrees with this recommendation. The recommendation has been implemented and was reinforced through a memorandum to all employees to keep the sally port cleared of all stored materials.

Finding 2:

"There is no restraining bar to handcuff prisoners during the booking process."

Response to Finding 2:

The City agrees with finding 2.

Recommendation 2:

"Install a safety bar to restrain prisoners during the booking process."

Response to Recommendation 2:

The City disagrees with this recommendation. The City of Dixon Police Department maintains a temporary holding facility for prisoners. The California Code of Regulations, Title 15 & 24, defines a temporary holding facility as a facility constructed after January 1, 1978, and used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court. The Code does not require a safety bar to restrain prisoners. The California State Board of Corrections inspects our facility yearly and has stated that the City of Dixon Police Department Facility is the model for temporary holding facilities. Currently the Dixon Police Department holding facility is equipped with three holding cells to temporally detain subjects during the booking process. In addition, the facility has a bench with restraints to control movement of subjects while detained in the booking area. Current policy and procedure during the arrest and booking of a potentially violent subject who needs additional restraint, is to transport the subject to the Solano County jail immediately and bypass the Dixon Police Department Holding Facility.

Investigation: Solano County Law Enforcement Compensation and Staffing Levels

"The Solano County Sheriff's Office expressed concern that disparity of pay levels and benefits compared to area police departments was causing high attrition rates and difficulty in recruiting law enforcement personnel."

The City acknowledges reference to the investigation and notes that no findings or recommendations were made in reference to the City of Dixon and its police department. Hence, no further response from the City appears to be required.

MAYOR MARY ANN COURVILLE
VICE MAYOR GIL VEGA
COUNCILMEMBER LOREN FERRERO



COUNCILMEMBER JILL ORR
COUNCILMEMBER DAN SUPRIANO
CITY TREASURER DAVID DINGMAN

September 25, 2003

RECEIVED
SEP 25 2003

The Honorable Scott L. Kays, Presiding Judge
Solano County Superior Court
c/o Superior Court Executive Officers/Clerk of the Court
Hall of Justice
600 Union Ave
Fairfield, Ca 94533

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Re: Responses of the Dixon City Council to the 2002-2003 Solano County Grand Jury Final Report

Dear Judge Kays,

On behalf of the City Council of the City of Dixon and with its prior approval, I hereby submit to you the responses of the City Council to the findings and recommendations contained in the above noted final report of the 2002-2003 Solano County Grand Jury as set forth below:

Investigation: Detention/Holding Facilities

"In accordance with California State Penal Code 919(b) the Grand Jury is required to inspect all county detention facilities."

Finding 1:

"The Sally Port, an enclosed secure parking area used for transferring a prisoner from a vehicle to the detention facility, is not in use. Items were stored in the area."

Response to Finding 1:

The City agrees with finding 1.

Recommendation 1:

"The Sally Port area should be cleared of stored material and used as intended."

City of Dixon

600 East A Street • Dixon, California • 95620-3697
(707) 678-7000 • FAX (707) 678-0960 • TDD (707) 678-1489



THE CITY OF
BENICIA
CALIFORNIA

CITY HALL • 250 EAST L STREET • BENICIA, CA 94510 • (707) 746-4210 • FAX (707) 747-8120

JIM ERICKSON
City Manager

September 15, 2003

RECEIVED
SEP 19 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

The Honorable Scott L. Kays
Presiding Judge
Solano County Superior Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Kays:

The 2003 Solano County Grand Jury Report contains two areas in which a response is necessary from the City of Benicia.

Detention / Holding Facilities, Page 32, Recommendation #1

Our current police facility is woefully inadequate in almost every area. It is the intent of the city to build a new modernized police facility, which shall include a fully compliant temporary holding facility area. In November, the citizens of our community will vote on a General Obligation Bond to fund the new facility. A new facility will comply with the recommendation of the Grand Jury.

Public Safety Radio Interoperability, Page 44

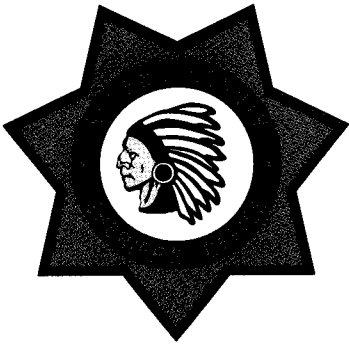
Representatives from the Benicia Police and Benicia Fire Department are part of the countywide Steering Committee that is researching this topic. We firmly support the three goals outlined in the Grand Jury Report (data sharing, radio interoperability and consolidated county wide dispatch). The Benicia Police Department has assisted in funding the initial study and, with the other agencies, will pursue a funding plan to implement all recommendations.

If there are any further questions or concern, please contact me at (707)746-4210.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Erickson".
Jim Erickson
City Manager

CC: Jame Trimble, Chief of Police



530 Union Avenue • Suite 100 • Fairfield, CA 94533
Administration Offices (707) 421-7000

RECEIVED
OCT 17 2003

Gary R. Stanton
Sheriff/ Coroner

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

September 29, 2003

Scott Kays, Presiding Judge
Solano County Superior Courts
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

**Sheriff's Response to the
2002/2003 Solano County Grand Jury Final Report**

Solano County Juvenile Hall Inspection

Finding #2 – Transporting juveniles to Juvenile Court is a critical issue. (2)

Recommendation #2 – Hold court at the Juvenile Hall facility. If this is not feasible, the Sheriff's Office be responsible for transportation until the new facility is completed.

Response – The Sheriff's Office does not agree with this finding. The Sheriff's office is not currently responsible for the transportation of juvenile offenders attending Court unless the Court deems that there is a potential threat to public safety and orders the Department to provide transportation. Transportation of all juvenile offenders from Juvenile Hall to Court could be a function of the Sheriff's Department if sufficient funding for necessary additional staff and equipment is provide in the Sheriff's budget.

Sincerely,

Gary R. Stanton
Sheriff/Coroner

The new unit will become primary and the existing unit will serve as alternate to the primary. Once a permanent location for the Office of Emergency Services and the Emergency Operations Center has been identified, the existing facilities at the Sheriff's Office may become a viable alternate site. The eventual relocation of the Office of Emergency Services and the Emergency Operations Center is a policy decision to be decided by the Solano County Board of Supervisors.

Finding #4: Of 82 hazardous incidents that occurred within Solano County Since January 1998, five exceeded the capabilities of Solano County Agencies. Trained Hazmat Entry Teams from the City of Sacramento and Napa County in accordance with Memorandums of Understanding satisfactorily controlled these incidents. (11,12)

Recommendation #4: The Solano County Board of Supervisors carefully evaluate the comparative financial and response advantages of establishing a certified Hazmat Entry Team, of developing multi-agency teams, or of continuing memorandums of Understanding with certified Hazmat Entry Teams from non-county resources.

Response: Under the Federal Act supporting homeland security, initial funding has been secured to develop a 25-person multi-agency hazardous materials response team for Solano County. It is anticipated that as Federal and State funding continues to be received this team will become fully equipped and operational by December 2005.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary R. Stanton", with a long horizontal flourish extending to the right.

Gary R. Stanton
Sheriff/Coroner

Finding #2: Consolidation of dispatch centers would be more efficient and provide a significant overall cost savings. (9,10,11)

Recommendation #2: A plan be formulated to implement two regional dispatch services in Solano County. This would provide a back up in case one center becomes temporarily inoperable.

Response: Solano Emergency Communications Activity (SECA) has identified the consolidation of dispatch centers as one of three primary objectives established to improve emergency communications in Solano County.

Standardized Emergency Management System County of Solano County (Page 22)

Finding #1: The Emergency Operations Center (EOC) requires dedicated space to ensure complete operational capability is immediately available upon activation. (3)

Recommendation #1: The Solano County Board of Supervisors monitor the building assignments plan during the renovation period of County buildings to ensure that the space currently planned for the EOC is not assigned to a less critical function.

Response: The Solano County Sheriff agrees with the finding and recommendation of the Solano County Grand Jury and will defer response to Michael Johnson, the Director of Emergency Services and the Solano County Board of Supervisors, as this is a policy decision.

Finding #2: Communications capabilities of the EOC do not satisfy requirements to control a complex emergency. (5)

Recommendation #2: Ensure the EOC needs are incorporated in the current County study that is developing interoperability of radio communications between dispatch centers and mobile units of County and City agencies.

Response: Solano County is a member of the recently formed Solano Emergency Communications Activity (SECA). The specific needs of the Solano County Office of Emergency Services and the Emergency Operations Center are recognized and represented as SECA works to implement interoperable countywide emergency communications.

Finding #3: Both the designated alternate EOC site and the mobile unit EOC require upgrade to provide an appropriate level of control during a major disaster in the event the primary EOC became unusable. (2)

Recommendation #3: Evaluate the choice between a fixed or a mobile alternate EOC and consolidate all efforts into the better choice.

Response: The Solano County Office of Emergency Services is currently in the process of purchasing a new Mobile Command Unit with federal grant funding.

The Solano County Civil Service Commission reinstated the employee and as a result the employee's poor performance continued, eventually creating the incident investigated by the Grand Jury. The employee no longer works for the Coroner's Office and the issues identified by the Grand Jury no longer exist.

Solano County Law Enforcement Compensation and Staffing Levels (page 16)

Finding #1: The number of unfilled deputy sheriff positions in the Solano County Sheriff's Office is not disproportional with the unfilled positions in the other agencies surveyed when adjusted for agency size. (1,2,5)

Recommendation #1: The Sheriff Office continue they're aggressive recruiting programs to fill vacancies.

Response: As a result of aggressive recruitment, and with the assistance of the Solano County Department of Human Resources, the vacancy rate for deputy sheriffs has been reduced to six. As of the date of this response the Sheriff's Office continues to recruit deputy sheriffs and we have several candidates currently in process.

Public Safety Radio Interoperability (page 19)

Finding #1: The radio communication system presently used throughout Solano County prevents effective emergency communication between local emergency providers. (1,2,8)

Recommendation #1A: A coordinated radio communication system be implemented within Solano County to allow interoperability between public safety agencies.

Recommendation #1B: A permanent Joint Powers Authority be formed to oversee, coordinate and implement the emergency communications needs of Solano County. The Joint Powers Authority should consist of representatives from:

- Solano County
- Solano Emergency Medical Services Cooperative
- The cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville and Vallejo.
- All Fire Districts within Solano County
- Solano Community College Police Department
- Solano County Office of Emergency Services

Response: Solano County public safety agencies have formed the Solano Emergency Communications Activity (SECA) for the purpose of managing the process of attaining effectiveness and efficiency in countywide emergency communications. A needs assessment has been completed and SECA is currently seeking a funding source to support implementation of both short term and long-term solutions to our existing communication situation.

Next of Kin Notification Policy (page 15)

Solano County Sheriff - Coroner's Office

Finding #1: The Solano County Coroner did not follow its own Death Notification Policy. The notification was delayed because the Coroner did not deliver the bodies to the morgue before reporting to the second accident. Bodies from both accidents were delivered to the morgue at 21:45 hours by the Coroner's vehicles and two contracted transporter vehicles. (2) (3)

Recommendation #1: In instances of multiple accidents such as this, the contract transporter delivers bodies to the morgue. Then the on-site Coroner, en-route to the second accident calls and apprises the Supervisor of the situation. The Supervisor should then take on the responsibility of identification and notification.

Response: Policy and Procedure for the Coroner function has been changed to clarify the death notification process. Whenever possible, Coroner's Investigators are required to make in-person death notification to next of kin, when the next of kin resides within the boundaries of Solano County. Coroner Investigators have been trained on this policy and every effort will be made to provide timely notification of next of kin. In the event of multiple deaths at differing locations, the on duty Coroner Investigator is responsible for notifying the Supervisor. Once notified, the Supervisor will respond and assist the Coroner Investigator as necessary to make sure death notifications are made timely and personal property of the deceased is inventoried and properly stored.

Finding #2: Returning victim's belongings to family in a garbage bag conveyed the image that belongings were perceived as trash. (4)

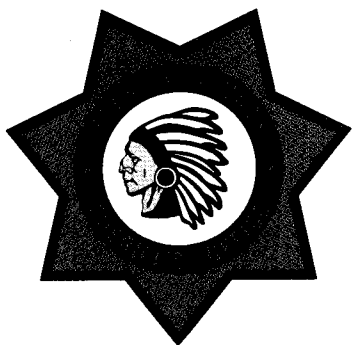
Recommendation #2: Belongings should be returned to families in a box or neatly wrapped in paper.

Response: The practice of using plastic bags to store personal property has been abolished. Personal property is now stored in cardboard boxes and returned to family members in a cardboard container.

Finding #3: The Grand Jury found the Coroner's report to be incomplete, with errors and not consistent with the CHP report or the Transporter statements. (3)

Recommendation #3: The Coroner's report should detail times of events accurately to ensure completeness and correctness in its reports. All reports and revisions should be dated and timelines noted.

Response: The finding by the Grand Jury reflects the poor performance of a specific employee working at the Coroner's Office. The Coroner's Office was well aware of this employee's shortcomings and the employee was terminated for poor performance.



530 Union Avenue • Suite 100 • Fairfield, CA 94533
Administration Offices

(707) 421-7000

SEP 12 2003

JH

Gary R. Stanton
Sheriff/ Coroner

September 10, 2003

Scott Kays, Presiding Judge
Solano County Superior Courts
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Sheriff's Response to the 2002/2003 Solano County Grand Jury Final Report

The Sheriff's Office concurs with the findings of the Grand Jury and will respond to those findings that have recommendations as outlined below.

Facilities Inspection (page 14)

Fairfield Detention Facility

1. **Finding #1:** The Fairfield facility often exceeds its inmate capacity and houses inmates on the floor. (2)

Recommendation #1: The Sheriff develop a plan to deal with the overcrowding and present it to the Board of Supervisors in a timely manner.

Response: The Solano County Sheriff has met with the County Administrator to discuss the issue of jail overcrowding. Solano County recently contracted with a consulting firm and the analysis necessary to identify the immediate and long term need for inmate beds in Solano County has been completed. A strategic plan in the form of a jail expansion and construction strategy identifying our immediate and projected need for jail beds out to the year 2025 was recently presented to the Solano County Board of Supervisors. The Solano County Board of Supervisors has accepted this report, indicating their support by a majority vote. What remains to be determined is an adequate funding source to support construction and staffing. In the interim, the Sheriff's Office will continue to minimize jail overcrowding by facilitating work release programs and the early release of qualified non-violent offenders.



COUNTY OF SOLANO
Probation Department

Gemma Grossi
Chief Probation Officer

RECEIVED
AUG 25 2003
SUPERIOR COURT, DEPT. 16
SCOTT KAYS
Deputy Chief Probation Officer

To: The Honorable Scott Kays, Presiding Judge of the Solano County Superior Court

From: Gemma Grossi, Chief Probation Officer

Date: August 25, 2003

Re: Response to Solano County 2002-2003 Grand Jury Report (Juvenile Hall Inspection)

Finding #1 – The Solano County Juvenile Hall is in good condition.
The Probation Department agrees with this finding.

Recommendation #1 – None

Finding #2 – Transporting juveniles to Juvenile Court is a critical issue.

Response- The Probation Department and Juvenile Hall disagree with the finding.

Recommendation #2 – Hold court at the Juvenile Hall facility. If this is not feasible, the Sheriff's Office be responsible for transportation until the new facility is completed.

Response -The recommendation will not be implemented because it is not warranted.

Although the Administration of the Probation Department agrees that the transport of juveniles to Court hearings poses significant challenges, the Juvenile Hall has policies implemented that when followed provide for the safe and secure transport of residents. The funding for the construction of the new Juvenile Hall specifically instructed that it could not be utilized for court facilities. The County is providing a percentage of the funding for the new facility, however if some of that funding was diverted for the construction of a juvenile court facility, there would be inadequate funding for the detention facility. Additionally, when the new Juvenile Detention Facility is operational, there is a secure sally-port to facilitate a more secure transport environment. The Probation Department acknowledges that some Juvenile Hall residents pose a greater threat to the community due to the nature of their offense or other factors in their history. When these situations arise, the Probation Department requests that the Court order the Sheriff's Department to transport the resident, if the Court agrees with the request and makes such an order the Sheriff's Department has always cooperated and facilitated the transport. The majority of residents do not require the level of security provided by the Sheriff's Department transportation unit.

Cc: The Honorable David Power, Presiding Judge of the Solano County Juvenile Court
Michael D. Johnson, County Administrator, Solano County
Chuck Ramey, Administrator, Solano County Superior Court
Gary Stanton, Sheriff –Coroner, Solano County
Cliff Merrill, Chief Deputy Probation Officer, Solano County
John Taylor, Assistant Deputy County Administrator, Solano County
Gladys Moore, Superintendent Solano County Juvenile Hall
Maggie Jimenez, Clerk to the Solano County Board of Supervisors

Solano County Health & Social Services Department

Mental Health Services
Public Health Services
Substance Abuse Services
Older & Disabled Adult Services



Eligibility Service
Employment Service
Children's Service
Administrative Service

Patrick O. Duterte, Director

275 Beck Avenue – MS 5-200
Fairfield, California 94533

707 784-8400
FAX 707 421-3207

September 17, 2003

RECEIVED
SEP 25 2003

Scott Kays
Presiding Judge of the Superior Court
C/o Superior Court Executive Office/Clerk of the Court

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Re: 2002-2003 Grand Jury Report

The Honorable Scott Kays:

I concur with the findings of the 2003 Grand Jury Report. The Grand Jury reviewed the Black Infant Health Program and identified it as a successful and worthwhile program. H&SS has operated this program since July 1991 to reduce the rate of infant mortality in the African-American population and to improve the birth outcomes for this target population.

Recommendation – Continue this program.

The recommendation of the Grand Jury has been implemented, and the program will continue in 2003/04. Since inception of this program, 1,579 women have been served. The death rate for African-American infants has been reduced from 16 deaths per 1,000 live births in 1989 to 11 deaths per 1,000 live births in 2002. The goal is to reduce the rate to 4.5 deaths per 1,000 live births by 2010 (Healthy People 2010 objective).

The First Five Commission has funded an expansion of the program for 3 years. The expanded program will serve approximately 300 (3-year period) additional women, 180 expectant fathers, and extend services to Vacaville.

I would encourage you and members of the Grand Jury to stop by and visit our program in Vallejo and Fairfield. Enclosed please find a program brochure. If you have any further questions, please feel free to contact me or my staff, Ms Norma Thigpen, at 553-5055.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick O. Duterte".

Patrick O. Duterte, Director

cc: Michael Johnson, Solano County Administrator
Clerk of the Board of Supervisors

DENNIS J. COVELL
DIRECTOR



IMPROVING THE LIVES
OF THE CHILDREN WE SERVE

SOLANO COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES

08/20/2003

RECEIVED
AUG 25 2003

The Honorable Scott Kays
Presiding Judge, Solano County Superior Court
530 Union Avenue
Fairfield, Ca. 94533

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Re: Response to the Final Report of the 2002-03 Grand Jury

Dear Judge Kays:

The following is submitted in response to the findings and recommendations of the 2002-03 Solano County Grand Jury.

Finding and Recommendation

Finding #1 – The Department of Child Support Services needs additional space.

The department concurs with the finding of the Grand Jury

Recommendation #1 – Funds be allocated for additional space.

The department concurs with the recommendation of the Grand Jury. The recommendation has been implemented during the current budget year. The lease for the current site expires in October of 2004. Negotiations for a new site are currently being conducted. Funding will be provided through the Administration Planning Allocation as determined by the State Department of Child Support Services

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dennis Covell", written over a horizontal line.

Dennis Covell,
Director DCSS

Main Office & All Correspondence: 800 Chadbourne Road Suite 10 Fairfield CA 94534-9742
Payments Addressed To: PO Box 1605 Suisun CA 94585-1605
Vallejo Office: 400 Santa Clara Street Suite 110
Phone (707) 421-7210 **FAX** (707) 421-7483

Automated Case Information Line (888) 823-2735

Check out our Child Support Services Website at: www.solanocounty.com

SOLANO COUNTY LIBRARY

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SEP 05 2003

SOLANO COUNTY COURTS
EXECUTIVE OFFICE

TO: Judge Scott Kays, Presiding Judge of the Superior Court, Solano
County

FROM: *AC*
Ann Cousineau, Director of Library Services

SUBJECT: Grand Jury Response

DATE: September 3, 2003

Enclosed is the Library's response to the annual Grand Jury's Report regarding their findings and recommendations about the John F. Kennedy library in Vallejo.

cc: Kathy Gibson, County Administrator's Office

SOLANO COUNTY LIBRARY

Response to Grand Jury Report September 2003

John F. Kennedy Library

Finding #1: The building is run down and old. The original carpet, which is 33 years old, is worn, torn and creates a safety hazard.

Recommendation #1: The City of Vallejo allocate funds to upgrade the building, including replacing the carpet.

Response: The City has allocated \$95,000 to replace the carpeting on the second floor. The children's room on the first floor was re-carpeted approximately 10 years ago. County staff are working in conjunction with City staff to develop specifications for the purchase and installation of the carpet.

Finding #2: Space allocated for library services is inadequate.

Recommendation #2: The City of Vallejo should make more space available for library use.

Response: Staff are unclear why this recommendation was made regarding the Kennedy library, which has more than adequate space for library services and programs. There is a separate children's room on the first floor with its own enclosed area for programs. The Joseph Room on the second floor is used for larger programs and hosts the popular Sunday afternoon concert series. There are 250 seats in the library proper for casual reading as well as study and research, including the first floor children's room and the second floor library area. The collection has ample space.

Kennedy is the only library with a separate computer room with 20 computers that can be used for training or for general computer use by the public. To date, this library is the only County Library branch that offers this service. Finally, the Library's Literacy program, which is headquartered at the Kennedy facility will be moving to Fairfield in October, which will make space available for one or two group study rooms. All these services reflect what the community said they wanted during public input sessions that helped shape the Library's 20-year Facilities Master Plan.

Vaca Pena Middle School


We are pleased that you recognized that the site is well maintained and clean; that we have a strong instructional program; that we are committed to continually improving learning through technology; that we have a strong commitment to safety; and that we had a strong activities program to involve students. In regards to recommendations: 1) other schools have received safety grants and doing the same as Vaca Pena, and 2) a new phone system is to be installed in either September or October 2003 and that should greatly enhance our communications system.

Buckingham Charter School

The Buckingham Charter School staff was very pleased with the Grand Jury Report. The positive and encouraging response by the Grand Jury concerning the educational choices and alternatives that Buckingham offers is a welcome validation of the services that they provide to the community.

If you need further information, please do not hesitate to contact me at (707) 453-6100.

Sincerely,


John T. Aycock
Superintendent

JTA:jw

cc: Leticia Allen, Deputy Superintendent Administrative Services
Janet Follet, Callison Elementary School Principal
Jim Myers, Vaca Pena Middle School Principal
Bob Hampton, Buckingham Charter School Principal
County Administrator's Office (courtesy copy)
Clerk of Board of Supervisors (courtesy copy)

Finding #3 - No money was missing or unaccounted for in the 2001-02 VUSD budget. Layoff notices were issued, but no actual layoffs took place.

Recommendation #3 - No action required.

District Response #3 - Each year, the VUSD undergoes an annual audit by an independent auditor. The Annual Audit Report confirmed that the District financial records presented fairly, in all material respects the financial position of the operations of the District's funds. As a matter of sound business practice, the annual audit will be up for renewal in 2003/04 and proposals will be secured from experienced audit firms in school finances, as well as the current audit firm.

In addition, a new, integrated (with the Solano County Office of Education) financial system has been implemented, as of July 1, 2003. A data processing audit on the new financial system will be done to verify functionality for the 2003/04 fiscal year. VUSD is continuing to work very closely with the Solano County Office of Education.

Where We Are Now

The District has now reduced the projected budget deficit from \$7.2 million to \$660,000. A lot of progress in closing the deficit has been made but still more revenue is needed and reductions in expenditures need to be made to finally close the gap.

The District has now addressed the accounting issues and is upgrading to a new accounting system that has a proven track record of performance. The District has also put certain business practices and procedures in place to prevent internal financial issues in the future. Critical business positions have been filled, and training in how to best use the new accounting system is ongoing.

The District has also been engaged in increasing its revenue. We are negotiating new contracts with service providers in many areas that will save the District money. We have negotiated a transportation contract with a neighboring school district to provide their students transportation. This will bring in new revenues. We have reorganized summer school that has generated funds for the district's operating budget rather than take funds away from it. We have also successfully completed the state required bidding process to lease Elmira Elementary School to a non-public school serving severely handicapped students. This lease will bring to the district \$1.1 million over a four year period.

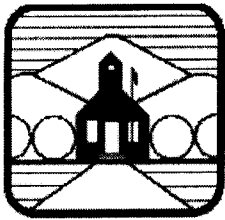
One of the most highly visible fund raising efforts is by the Vacaville Public Education Foundation (VPEF). VPEF has raised funds through donations from individuals and businesses. The funds will go directly to support programs for students. The VUSD is grateful to have such committed individuals spearheading this effort.

Jean Callison Elementary School

Thank you for your kind and comprehensive report. We at Jean Callison Elementary School are proud of our school, students, staff and parents, and are grateful that you took notice of all that they do.

Especially noteworthy is our outstanding custodial staff members, who work closely with district maintenance personnel to perform regular, preventive maintenance and upkeep.

I have offered to share our School Safety Plan with members of the district's Administrative Leadership Team. Our school safety committee will continue to meet regularly to ensure a current, updated plan that meets student safety needs is in place in order to provide a safe and healthy learning environment.



Vacaville Unified School District

751 School Street, Vacaville, California 95688-3987

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SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Board of Education

Katherine Brannon
President

Sarah E. Chapman
Vice President

Mary Kay Sogge
Clerk

Kathleen Collier

Nicholas Esplin

William Hausler

Theresa Nutt

John T. Aycock
Superintendent &
Board Secretary

September 19, 2003

Scott Kays, Presiding Judge of the Superior Court
c/o Superior Court Executive Office/Clerk of the Court
Hall of Justice
600 Union Avenue
Fairfield, California 94533

Re: Response to 2003/04 Grand Jury Report

Dear Mr. Kays:

Vacaville Unified School District (VUSD), like a thousand other school districts in California, is dependent on the State for approximately 92% of its operating funds. The other 8% is made up of special categorical funds from the Federal government along with a small portion from local sources. VUSD has the responsibility of managing the funds provided by these sources.

Findings and Recommendations

Finding #1 - Salary increases were paid for with non-recurring funds with the expectation of additional funding from the State for the two years (1999-2000 and 2000-2001).

Recommendation #1 - VUSD not commit non-recurring funds for recurring requirements.

District Response #1 - The District concurs. No commitments will be made without a complete review of multi-year projections for both revenue and expenditures. It is important to note that the uncertainty of the State economy has resulted in a loss of ongoing revenue including statutory cost-of-living-adjustments normally guaranteed by Proposition 98. In the future, at least two scenarios for multiyear projections will be developed. One will be based on the best information known at the time; a second scenario will be based on a no COLA and/or a worse case scenario of additional cuts if appropriate. Information will be shared on a timely basis with the Board of Education and with the District's Budget Advisory Committee.

Finding #2 - Enrollment and attendance projections for determining the fiscal year 2001-02 budget assumed a best-case scenario.

Recommendation #2 - The VUSD develop a realistic model to predict enrollment and attendance for budget planning.

District Response #2 - A new enrollment and attendance boundary projection software package (Davis Demographics) was purchased in the Spring of 2003. It was implemented for the 2003/04 fiscal year.

Attendance projections are based on an analysis of CBEDS enrollment to second period attendance (the period used by the State to fund districts). However, in a district that is declining in enrollment, such as VUSD is experiencing, attendance funds are guaranteed to be based on the prior year or the current year whichever is higher. For purposes of revenue projections, prior year attendance was used in 2003/04. Staffing costs, however, were based on projected 2003/04 enrollment. This is important to note because the District gets the benefit of higher revenues, but is budgeted for lower costs as a result of lower enrollment. Should enrollment be higher in 2003/04, the District will incur higher staff costs, however, no revenues will be reflected until attendance surpasses the prior year's attendance.

Material for October 23, 2003 Board Meeting

10. New Business

- A. Request for Board Approval to Change the Policies and Procedures Manual, Section 2.1j, – Organization, Board of Directors, Committees, and add Section 4.61 – Fiscal and Financial Procedures, Park Dedication Fees Policy.**

Recommendation: Staff recommends approval to change the Policies and Procedures Manual, sections referenced above, to stipulate the procedures for recommending, requesting, and tracking expenditures from Park Dedication Funds.

Background: At the request of the Board of Directors, staff has reviewed our Policies and Procedures in regard to the Capital Outlay Policy for park dedication fees. In this section, park dedication fees are not specifically referenced. How projects would be reviewed/recommended for park dedication funding, who shall make the request for the funds to the City of Vallejo, and how approved project expenses will be tracked once the park dedication funds were acquired need to be addressed. The attached proposed changes to the Policies and Procedures Manual amending committee responsibilities and adding a new section specific to park dedication fees should resolve this oversight. These proposed changes have been reviewed by Legal Counsel.

Attachment: Policies and Procedures, Section 2.1j, and Section 4.61

Cost: None

Committee Reviewed: Budget and Finance Committee, 10/7/2003
Recommended

Mr. Louis Burgelin, Foreperson

November 3, 2003

Page 2

the General Manager were not totally approved by the Board, nor was specific Board action taken to approve the use of the funds for the ballot measure. On two occasions, bills to the ballot measure consulting firm were approved by the Board under the general payment of bills category on the agenda. The Board has addressed this issue through the addition of the aforementioned 4.61 paragraph to the Policies and Procedures, and by adopting a requirement that bills over \$1000 must be segregated in the list of general bills to be paid by the District and approved at the regularly scheduled meetings.

We believe that the above information responds to your requests; however, if additional information is required, please contact us.

Respectfully submitted

GREATER VALLEJO RECREATION DISTRICT

A handwritten signature in black ink, appearing to read 'Liat Meitzenheimer', is written over the printed name.

Liat Meitzenheimer, Chairperson, Board of Directors

LM/vf

Enclosure



GREATER VALLEJO RECREATION DISTRICT

Board of Directors
Suzanne Huddleston
R.E. Keith
Liat Meitzenheimer
Michael Palmaffy
Pelton Stewart

395 Amador Street • Vallejo, CA 94590-6320 707 • 648-4600 FAX 707 • 648-4616

November 3, 2003

Mr. Louis Burgelin, Foreperson
Solano County Grand Jury
600 Union Avenue
Fairfield, CA 94533

JH # 313

Re: GVRD: Grand Jury Recommendations

Dear Mr. Burgelin:

We have received your letter dated September 19, 2003, which requested that GVRD describe the steps taken to implement the recommendations of the Grand Jury and to respond to three questions submitted to you. Unfortunately, we were unable to comply with your deadline for the response.

At the time of the request to the City of Vallejo for the park dedication fees in 2001-2002, GVRD did not have a written policy which covered requests for the fees and the use thereof. The GVRD Board relied on an unwritten policy wherein the General Manager would apprise the Board of park dedication fee requests and the intended expenditure. In this instance, that unwritten policy was not completely followed by the General Manager. GVRD is in the process of adopting a written policy regarding the use of park dedication fees by adding new section 4.61 to the Policies and Procedures Manual. A copy of the new policy is enclosed.

GVRD did not have a specific written policy addressing the potential conflict in the selection of outside contractors and pursuant to the recommendations of the Grand Jury, we are in the process of drafting the conflict language which would be added to Chapter 4: Fiscal and Financial Procedures of our Policies and Procedures Manual. As soon as the policy is in draft final form, we will provide you with a copy thereof.

GVRD's payment of fees for the ballot measure has two components: one, payment of the fees for the community survey; and, two, payment of fees for the ballot measure. The payment of fees for the community survey was, in our opinion, an appropriate use of park dedication fees pursuant to Vallejo Municipal Code Section 3.18.130 in that the fees were: "... for the benefit or use of parks or recreational facilities ..." The community survey addressed the recreational needs of the District. The initial request for park dedication fees was made of the City of Vallejo on December 19, 2001, and on February 28, 2002, the Board approved the use of the community survey and the cost thereof was paid by monies from park dedication fees. Based upon our extensive research, it appears that the District's General Manager did not submit a specific application to the City for the use of park dedication fees for the payment of costs related to the ballot measure, except for the aforementioned requests for funds for the community survey. Subsequent requests for park dedication fees which were made by

Mission Statement:

To enhance the leisure and recreational opportunities within our community.

web site: www.gvrd.org



GREATER VALLEJO RECREATION DISTRICT

Board of Directors
Suzanne Huddleston
R.E. Keith
Liat Meitzenheimer
Michael Palmaffy
Pelton Stewart

395 Amador Street • Vallejo, CA 94590-6320 707 • 648-4600 FAX 707 • 648-4616

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August 21, 2003

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

The Honorable Scott L. Kays, Presiding Judge
Solano County Superior Court
600 Union Avenue
Fairfield, California 94533

Dear Judge Kays:

The Board of Directors of the Greater Vallejo Recreation District is aware of the recommendations of the 2002-2003 Grand Jury as they related to the District. The Board of Directors is taking steps to implement the recommendations applicable to the District as set forth in the Grand Jury's report.

Respectfully submitted,

Greater Vallejo Recreation District

Liat Meitzenheimer, Chairperson

Cc: Jack Morris, Foreperson 2002-2003 Grand Jury
Chester R. Rogaski, Jr.

Mission Statement:

To enhance the leisure and recreational opportunities within our community.

web site: www.gvrd.org

as a result there is not a 10 acre park fund to reinstate funds to. Instead, there is funding available in the park development fund for the 10 acre park as well as other future park facilities.

Thank you for the opportunity to respond to these issues. We recognize the challenging job of the Grand Jury and thank them for their efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven W. Baker', with a long horizontal flourish extending to the right.

Steven W. Baker
City Manager

cc: Mayor and City Council
Parks and Recreation Commission

CITY COUNCIL



CITY COUNCIL MEETING

James P. Spering, Mayor
Pedro "Pete" M. Sanchez, Mayor Pro-Tem
Jane Day
Michael A. Segala
Sharon Ventura

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

November 20, 2003

701 Civic Center Blvd.
Suisun City, California 94585

Incorporated October 9, 1868

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SUPERIOR COURT, DEPT. 16
SCOTT KAYS

Scott Kays
Presiding Judge of the Superior Court
C/O Superior Court Executive Office/Clerk of the Court
600 Union Avenue
Fairfield, California 94533

Dear Judge Kays:

This is in response to the City of Suisun City – Lawler Ranch Park item in the 2002-2003 Grand Jury Final Report. This is a carry-over item from the 2001-2002 Grand Jury Report. The Findings and Recommendation of the Grand Jury, as well as the City's response are outlined below. The affected agencies included the Suisun City Mayor, Council, Manager and Parks and Recreation Commission; I am responding on behalf of all of these.

Finding #1 As of October 2002, no design plans had been presented for the 10 Acre Park.

Recommendation #1 – The ten acre park be put on a fast track schedule for completion. The City of Suisun City should establish an oversight committee to oversee the 10 acre park development. This committee should include Lawler Ranch residents.

Response: The City is issuing a Request for Proposals for a landscape architect to develop plans for the park. The park may be phased due to maintenance funding constraints in the Lawler Ranch Maintenance Assessment District (MAD). As part of the development process, the City will be coordinating review of the plans with the residents of Lawler Ranch as well as the Lawler Ranch MAD Advisory Committee. Plans and commencement of construction are currently scheduled for 2004.

Finding #2 – It was stated by the Parks and Recreation Commission that the funds were used for the Sports Complex and boat ramp.

Recommendation #2 – Reinstate the 10 acre park development funds.

Response: As noted in last year's response, park fees for new development are based on park facilities ranging from pocket and neighborhood parks in or close to the development to citywide park and recreation facilities such as the Lambrecht Sports Complex or the Heritage Park Community Park. All of these funds, regardless where they are originally generated, are pooled;

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
REDEVELOPMENT AGENCY 421-7309 FAX 421-7366

REGISTRAR OF VOTERS

LAURA WINSLOW
REGISTRAR OF VOTERS
510 CLAY STREET
FAIRFIELD, CA 94533
(707) 421-6675



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SEP 29 2003

MAILING ADDRESS
REGISTRAR OF VOTERS
ELECTIONS
P.O. BOX "I"
FAIRFIELD, CA 94533

SUPERIOR COURT, DEPT. 16
SCOTT KAYS

September 29, 2003

TO: Judge Scott Kays, Presiding Judge of the Superior Court
FROM: Laura Winslow, Registrar of Voters *[Signature]*
RE: Response to Grand Jury Report

Absentee Ballot Instructions

Finding #1 – The citizen was properly registered and had voted in the last General Election.

Response to Finding – Registrar of Voters agrees with the finding. However, voting in the last General Election is not a condition to receive a ballot. Any properly registered voter is eligible to vote.

Finding #2 – Upon review of the non-military absentee ballot applications it became clear that an error had been made regarding the instruction sent to this voter.

Response to Finding – Registrar of Voters agrees with the finding.

Recommendation – The form currently used for non-military absentee ballot applications be modified to include additional question(s) as necessary to eliminate this type of error.

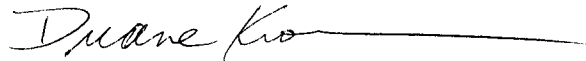
Response to Recommendation – The form used for the non-military absentee ballot application was revised based on the Grand Jury's recommendation.

SCWA Response – See response to Finding No. 10.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department and SCWA responses (in SCWA's September 12, 2003 letter to the Grand Jury) to the Grand Jury findings and recommendations. Independent of SCWA, County staff will meet to determine primary areas of County of responsibility for flood control and designate a lead County agency. The lead County agency will meet with SCWA to clarify and coordinate the responsibilities, roles and functions in a way that is agreeable to all involved agencies. The County and SCWA should work together to address flood control activities in the unincorporated areas of Solano County and coordinate their efforts to initiate actions that promote flood control.*

This concludes the Board of Supervisors' response to the Solano County 2002/2003 Grand Jury Final Report covering those County program areas for which the Board has responsibility.

Sincerely,

A handwritten signature in cursive script, reading "Duane Kromm", followed by a horizontal line extending to the right.

Duane Kromm, Chairman
Solano County Board of Supervisors

benefit is to the property owner or the applicant. The Board's current cost recovery policy requires that departments strive to develop fees that recover 100% of the cost of services.

The Grand Jury recommendation that existing county staff also provide assistance to property owners to complete required applications to the numerous other outside environmental agencies would require evaluating the resource demands as well as the budgetary and legal implications of this additional service for DEM. While we agree that assistance may be desirable and needed for the property owner who is unfamiliar with the requirements or may lack the expertise to deal with state and federal agencies, it is premature to assign these duties until other decisions relating to the overall level of flood control and the administration/responsibility for Flood Control are addressed by the SCWA and the Board of Supervisors. (Please refer to the earlier DEM responses related to the other recommendations contained in the 2002-2003 Grand Jury report regarding Flood Control.) Typically, a lead agency, in this case the one designated for countywide flood control responsibility would identify funding and operating priorities to meet the needs of the community, and as part of this it would also address public information, outreach, and permit assistance.

SCWA Response – This recommendation does not involve SCWA.

Finding #9 – Waterways on private urban and rural property are often not cleared of debris by the owners.

SCWA Response – SCWA agrees with this finding.

Recommendation #9 – The Solano County Board of Supervisors establish an ordinance to require the maintenance by the property owner of waterways for which public agencies have no easement granted.

Environmental Management Response – The Department of Environmental Management agrees with the statement made in finding # 9, however, the passing of an ordinance does not insure that urban and rural water ways will be cleared properly. DEM and the Board of Supervisors will first need to determine who or how enforcement would occur if this were to go forward. DEM will have to report back in six months.

SCWA Response – This recommendation does not involve SCWA.

Finding #10 – The Flood Control Advisory Committee lacks adequate staff support.

SCWA Response – SCWA disagrees with this finding. Current staff levels are appropriate with the current program of implementing the Flood Control Master Plan. This does not preclude SCWA from providing additional staffing should implementation of the Master Plan require additional work.

Recommendation #10 – Provide staff assistance for flood control purposes.

SCWA Response – There is no need to implement this recommendation because the Small Project Grant Program currently allows additional grants to a landowner who had previously received SCWA assistance.

Environmental Management Response – No response is required from the Department of Environmental Management; however, the Department of Environmental Management is supportive of the recommendation.

Finding #8 – The large number of environmental agencies and a widespread lack of understanding environmental laws and procedures deters individual landowners and some governing officials from employing appropriate waterway maintenance.

SCWA Response – SCWA agrees with this finding. However SCWA staff is available to assist landowners and governing officials in obtaining the necessary permits.

Recommendation #8A – Appropriate agencies (SCWA, DEM, Irrigation Districts, and Resource Conservation Districts) coordinate the development of informative bulletins explaining environmental agencies' functions and require distribution to concerned landowners.

Environmental Management Response – The Department of Environmental Management is supportive of the recommendation to develop informative bulletins for distribution, and will provide assistance as needed. Since drainage areas pass into and out of the cities, and residents move from cities or into the cities, the information developed could be done to serve more than one type of resident, but distributed by any of the agencies. We would propose that the work be coordinated through the existing Flood Control subcommittee lead by the SCWA. This group already includes the SCWA, DEM, the Resource Conservation Districts, and Solano Irrigation District as well as the cities. The SCWA has indicated in their response to this recommendation that it will lead the discussion and report back in 6 months.

SCWA Response – This recommendation requires coordination with other agencies and SCWA will report back within six months to the Grand Jury.

Recommendation #8B – The Resource Conservation Districts promote a direct assistance program to help individuals complete required applications to the numerous environmental agencies. The DEM provide the same assistance for individuals not residing in a resource conservation district.

Environmental Management Response – DEM currently provides assistance to property owners for applications that are processed by the County as part of processing the required permits and application. County staff are knowledgeable and able to provide assistance on the applications that the county requires and is responsible for. DEM is not currently staffed to provide assistance to individuals on other non-county permits and applications, nor do we necessarily possess the expertise to do so. It should be noted that currently applicants to the county pay fees which cover the cost for the services or permit approvals when the primary

Environmental Management Response – The staff from the Department of Environmental Management agrees that flood protection is appropriate and will re-evaluate the current ordinances language in light of the past years experience.

SCWA Response – This recommendation does not involve SCWA.

Finding #6 – Solano County cannot require landowners in flood prone areas to install flood protection (berms & building pads) when building in areas not designated by FEMA as a flood plain.

SCWA Response – This finding does not involve SCWA.

Recommendation #6 – The County establish or amend an ordinance to establish engineering requirements for new homes being built in areas defined by historical analysis as flood prone engineering requirements for new homes being built in areas defined by historical analysis as flood prone.

Environmental Management Response – DEM agrees that this is desirable to avoid future property damage by encouraging property owners to build outside flood prone areas; however, we can only require improvements if the FEMA maps identify an area as such, consequently staff is investigating ways to both advise and document available historical information on parcels that currently are not shown as flood prone on the FEMA maps, so we can advise property owners. DEM will not be able to establish an ordinance to require additional engineering for new homes being built in areas defined by historical analysis as flood prone if they are not on the FEMA maps, but we can recommend that property owners consider alternatives. This will require a change in our permit intake and review process which should be in place prior to the commencement of the 2004 grading and building season.

SCWA Response – This recommendation does not involve SCWA.

Finding #7 – A small project grant program recipient cannot receive an additional grant for a similar project whether or not the condition was caused by factors beyond the landowner's control.

SCWA Response – This finding is inaccurate. The criteria for the Small Project Grant Program do not prohibit an individual from reapplying for a similar project. Staff has given priority to projects that have not received SCWA funding in the past. Additionally, if the landowner has not met its responsibility for maintenance of the SCWA implemented project, then the landowners is deemed in violation of the original agreement and should not be eligible for additional funding.

Recommendation #7 – Revise the small project grant program to permit additional grants when the condition was caused by factors beyond the landowner's control.

SCWA Response – SCWA agrees with this finding. SCWA does collect information regarding flooding events, but it is not comprehensive nor is it complete.

Recommendation #4A – The OES upon receiving a report of flooding, should record the event for long term analysis.

SCWA Response – This recommendation does not involve SCWA.

OES Response – Each year OES records and maintains records of all flooding problems that are reported within the Solano Operational Area. Most cities do not readily share flooding information until such a point that the threat extends beyond the city limits or when a local disaster is declared. Efforts will be made by OES to obtain cooperation from all of the cities and local water agencies to record all incidents that occur within the county. This information will be maintained in the Emergency Operations Center.

Recommendation #4B – The County adopt the 1998 Flood Control Master Plan recommendation to obtain aerial photographs of all flooded areas immediately after a flooding event.

SCWA Response – This recommendation does not involve SCWA.

Recommendation #4C – The DEM review all reports and photographs of flooding for long term analysis to determine appropriate flood prevention and control measures.

Environmental Management Response – The Department of Environmental Management is not required to respond to 4A. DEM supports the recommendation to obtain photographs to document flooding (4B). DEM will review reports and photographs of flooding for long term analysis to determine appropriate flood prevention and control measures as part of DEM current responsibility to look at on site drainage and as part of the requirements for Storm Water Pollution Prevention, however the SCWA and the Board will need to review and determine lead agency responsibility for flood control planning and management.

SCWA Response – This recommendation does not involve SCWA.

Finding #5 – Solano County has no ordinance that specifies flood prevention requirements (water runoff control) for homes constructed in subdivisions that is not required for homes constructed on individually owned sites.

SCWA Response – This finding does not involve SCWA.

Recommendations #5 – The County establish or amend an ordinance to require equal flood prevention procedures for individually owned properties as for subdivision developments. (Funding through local assessment districts may be appropriate).

works operation, instead the Board indicated that County lead for public works should be assigned the Department of Transportation.

SCWA Response – This recommendation requires further analysis and a joint response with Solano County Board of Supervisors. SCWA will respond within six months likely in coordination with DEM.

Finding #3 – Solano County residents have no readily identified procedure for reporting flooding situations.

SCWA Response – SCWA disagrees with this finding. SCWA is currently funding a program to increase public awareness of flood hazard situations in Solano County, but the program does not include a specific program for reporting flooding situations.

Recommendation #3A – The Solano County OES establish a single and clearly countywide telephone listing for receiving reports of flooding. The listing should be presented on the emergency page of telephone directories.

OES Response – The Office of Emergency Services is the appropriate agency to receive flooding information from the public who lives in the unincorporated area of the county and other local cities and jurisdictions. Every year during the flooding season, special phone numbers and other means of communication are established and well publicized. Unfortunately, over the years, each city has developed their internal method of collecting flood reports and the information does not always get passed on. OES is working with the cities and the media in an effort to resolve this problem. Before one general number can be listed on the emergency page of the telephone directories, an acceptable process has to be worked out with all cities and dispatch centers.

SCWA Response – This recommendation does not involve SCWA.

Recommendation #3B – The OES institute a public information program at the approach of each rainy season to insure the public is aware of the reporting procedures.

OES Response – The Office of Emergency Services is in the process of enhancing the annual flood awareness programs already in existence to include a reporting process that can be clearly understood by the public.

Environmental Management Response – No comment or response is required from the Department of Environmental Management.

SCWA Response – This recommendation does not involve SCWA.

Finding #4 – No agency within the County has procedures for recording a complete history and data base of flooding within the County.

today and engage in a discussion about the level of flood control that is necessary or appropriate between the SCWA and the County before pursuing clarifying state legislation.

SCWA Response – Both the County and SCWA have authority to perform flood control functions. It is up to the governing board of both entities to determine the level of flood control that is appropriately performed by each agency in consideration of specific situations and available funding resources. Legislation requiring specified flood control activities would be inconsistent with each entity exercising its discretion regarding the level of involvement in flood control projects. SCWA is developing a Strategic Plan/Integrated Water Resources Plan that will examine whether the level of resources SCWA dedicates to flood control should change..

Finding #2 – Flood Control within Solano County is an optional responsibility of the SCWA that has received little attention. It has recently increased interest because of near loss of life from the December floods but continued long term interest against the more viable interest of water distribution in unlikely.

SCWA Response – SCWA disagrees with this statement. In 1998, the SCWA prepared a Flood Control Master Plan which addressed flooding issues which is the topic of the Grand Jury inquiry. Since then, SCWA has budgeted approximately \$400,000 per year for flood control activities to implement the Master Plan. In the current fiscal year, SCWA has budgeted over \$700,000 for implementing the Flood Control Master Plan. It is true that there is increased interest in flood control activities due to the severe flooding in certain parts of the County in the December 2002 storm event. The comment regarding that long-term interest in flood control is unlikely and is speculative.

Recommendation #2 – The Solano County Board of Supervisors and SCWA request state legislation mandating that flood control responsibility be assigned to the Solano County Department of Environmental Management. (DEM)

Environmental Management Response – DEM would encourage the Board of Supervisors and SCWA to evaluate and determine the level of flood control that is necessary or desired, and only then consider what government organization should be best suited to become the lead for this important public works function. This is currently a function that is shared by several agencies, however, it is a function that has in years past not been funded or staffed adequately to meet needs as they arose. The SCWA has increased its' resource commitments and the County has elevated the level of technical expertise of its' staff, but both legal and financial hurdles remain.

Futhermore, DEM respectfully disagrees with the Grand Jury recommendation that DEM be the lead agency. A comprehensive flood control program includes public education, implementation of regulations, and typically include the funding and oversight of a range of flood control projects, both small and large construction projects designed to resolve problems by removing or moving either the water or the structures that are in the path of the water. The Grand Jury recommendation is not consistent with the Board of Supervisor 2001 decision and indication that the Department of Environmental Management should not and would not be the County's public

members, requested that staff review of the program administration options, explore re-soliciting for program administration proposals before restarting a loan program outreach effort.

Finding #4 – No alternate procedure regarding contract requirements for industry standards is established to provide homeowner assistance if the individual disputes the contract administrator inspection decision. .

Recommendations #4 – The Solano County Board of Supervisors direct an addition to the program contracts that specifies an alternate procedure to resolve contract and industry standard disputes.

Environmental Management Response – The Department of Environmental Management agrees with the 2002/2003 Grand Jury recommendations. DEM staff as part of the program review shall review and amend the program administration contract. The program administration contract should specify that there be an alternate dispute resolution process and it should clearly define what, how and who will be responsible for inspection of work for compliance with industry standards.

County Counsel Response – This matter is not under the control of County Counsel. We will continue to provide advice to the Department of Environmental Management and the Board of Supervisors to secure the performance of Mercy Housing California.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department responses to the Grand Jury findings and recommendations.*

XV. Solano County Flood Control

The Grand Jury elected to continue the investigation into County Flood control policies and procedures initiated by the 2001-2002 Grand Jury. Many issues are unresolved and residents of some areas remain at risk.

Findings and Recommendations

Finding #1 – The Solano County Water Agency Act of 1988 identifies the need for flood control within Solano County but does not assign responsibility to any agency, regardless of the threat.

SCWA Response – SCWA agrees with the finding, but notes that the Act authorizes SCWA to undertake flood control activities.

Recommendation #1 – The Solano County Board of Supervisors and Solano County Water Agency request State legislation to establish direct responsibility on a County agency for flood control at specified levels of risk.

Environmental Management Response – The Department Environmental Management would encourage the Board of Supervisors and the County Administrator to look at the model we have

be sufficient in the Rural Estate zoning district. DEM staff is already looking at noticing needs for the Agricultural Zoning district and will include the Grand Jury recommendation in the updates presented to the Planning Commission and BOS for their consideration in FY03/04.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department response to the Grand Jury finding and recommendation.*

XIV. Homeacres Housing Rehabilitation Program

The Grand Jury elected to reopen the investigation into the Homeacres Housing Rehabilitation Program. Some responses to the Grand Jury 2001-2002 Final Report were incomplete and the complainant's property damage was still uncorrected.

Findings and Recommendations

Finding #1 – The contract administrator for the Homeacres Rehabilitation Program, Mercy Housing, replaced their inspector and amended written inspection procedures.

Recommendation #1 – None Required.

Environmental Management Response – Grand Jury report indicates no further response required by department.

Finding #2 – Mercy Housing has implemented actions to ensure their management requires that contractors correct inferior materials and workmanship.

Recommendation #2 – No additional action required.

Environmental Management Response – Grand Jury report indicates no further response required by department.

Finding #3 – The response to the 2001-2002 Grand Jury Final Report and current testimony does not indicate any action by the County to revise contracting procedures to ensure contract enforcement by County Officials.

Recommendation #3 – The Solano County Board of Supervisors take appropriate action to ensure its agents and contractors meet all contract requirements.

Environmental Management Response – The recommendation will be addressed in FY2003-2004 and should be implemented prior to re-starting the loan program. This past spring (2003), the Board of Supervisors authorized DEM staff to suspend the loan program for up to two years to allow the County contractor to audit of the status of participants that have an income eligibility requirement for the existing loans, as well as allowing staff time to review of the program elements, and the performance of the existing contractor. In addition, several of the Board

Recommendation # 7 – The BOS direct a study to evaluate the referenced costs.

Environmental Management Response – DEM is not aware if such a study has been conducted elsewhere that could be used as a model or sample, but if one exists we believe the BOS, CAO, and DEM would give it serious consideration. DEM staff is unclear what it would entail or how much a study of the economic cost to the residents, and the morale costs to the community from the current level of zoning ordinance enforcement cost to perform so we are not able to respond further to the recommendation at this time.

However, DEM does want to note that we disagree with the characterization that the BOS sanctioned disregard of county zoning ordinances and since 1993, the BOS has provided dedicated staffing, including increases in dedicated staff for enforcement in both DEM and County Counsel. In addition, the Board of Supervisors has supported and provided funding to update the Zoning Ordinance, complete the Zoning Consistency program, and develop automation tools to help staff compile and track complaints and identify violations.

Board of Supervisors' Response – *The Board of Supervisors disagrees with this recommendation because they not believe a study of this sort is necessary. The Board has provided affected departments with adequate resources to address code compliance activities in the unincorporated County. While Board policy has been to seek voluntary compliance, the Board will ask Environmental Management to evaluate whether this policy direction is effective and to make recommendations to the Board concerning any needed changes in the direction, policy or code that would allow them to more adequately address code compliance issues.*

XIII. Solano Building Code Enforcement in Allendale Area

The Grand Jury investigated a complaint submitted by four citizens pertaining to actions taken by the County to enforce building code requirements in the Allendale unincorporated area.

Finding and Recommendation

Finding #1 – The County requirement of providing direct notification of public hearings for permit procedures does not meet the needs of rural property owners. The current code only requires that property owners within 500 feet of the affected property are to be notified tens days prior to the hearing and notices be published in the local newspapers.

Recommendation # 1 – All applicable county codes be changed for rural properties to require notification of all property owners within one-half mile of the affected properties.

Environmental Management Response – Currently the zoning code and county subdivision code require that the county give 15 day notice to all adjacent property owners within 500 feet of the property line of the parcel on which a land use project is proposed. DEM has been working on updates for both the Zoning ordinance and the Subdivision Ordinance that we plan to propose to the Planning Commission and Board of Supervisors to consideration in FY03/04. DEM staff agrees that the current 500-foot notification is often inadequate in the rural residential, but may

Board of Supervisors' Response – *The Board of Supervisors feels this recommendation warrants additional consideration. The working group mentioned above is currently reviewing the County's Business License process to streamline it. If the working group feels relocating the function to the Department of Environmental Management is appropriate, the County Administrator's Office will work with the involved departments to facilitate the transition. At the same time, the work group will explore the development of a computer interface between the offices of Environmental Management, the Treasurer-Tax-Collector, the Sheriff's Department and the Assessor-Recorder.*

Finding #5 – Delinquent business taxpayers have been identified and assessments are being collected.

Recommendation #5 – Continue aggressive enforcement of the law.

Board of Supervisors' Response – *The Board of Supervisors concurs with this Grand Jury finding and recommendation.*

Finding #6 – Solano County procedures do not ensure that businesses bidding on county contracts are in compliance with County laws.

General Services Response – Solano County General Services disagrees with this finding because, pursuant to California law, County procedures require bidders on Public Works projects to submit confirmation of applicable licensure. All other parties contracting with the County must demonstrate compliance with applicable laws at the time of contract award.

Board of Supervisors' Response – *The Board of Supervisors disagrees with this finding. The County Administrator's Office, General Services and County Counsel has assured the Board that existing County policies require all parties contracting with the County to comply with all applicable laws when participating in County bids and contract awards.*

Recommendation #6 – Ensure procedures in the Solano County Policy Manual revision clearly identify all lawful requirements of the bidder.

General Services Response – General Services agrees with this recommendation. Procedures are included and will be published in the revised Purchasing and Contracting Policy Manual clearly stating all lawful requirements of the bidder.

Board of Supervisors' Response – *The Board of Supervisors concurs with General Services' response.*

Finding #7 – The BOS has not evaluated the direct cost to the County, economic cost to the residents, and the morale costs to the community, of sanctioned disregard of county zoning ordinances.

- Direct the development of computer interface between the offices of DEM, Solano County Assessor-Recorder, Solano County Treasurer-Tax Collector and the Solano County Sheriff's Office so that license requirements can be quickly and accurately verified.

Environmental Management Response – The decision to remove the Treasurer- Tax Collector and transfer the duties to DEM is currently being evaluated as part of a group review effort lead by the County Administrator's office and County Counsel jointly, which began earlier the summer as part of an ordinance review and update of Solano County Code Chapter 14. Several departments including the Treasurer-Tax Collector, the Sheriff, the District Attorney, and DEM are involved in reviewing and suggesting revisions. The decision on whether to transfer the responsibility to DEM from the Treasurer-Tax Collector is still under consideration and would require discussions and decisions on staffing and costs or fees. The transfer of the duties, however, will not in and of itself address or resolve the Grand Jury's primary concern about businesses operating without permits or in inappropriate zoning districts and the need for enforcement. This would remain as a code enforcement issue, which is also under review presently.

DEM and the Assessor-Recorder already have an electronic interface utilizing the SCIPS secondary data screens, which enables the exchange information including business license. The Treasurer-Tax Collector also has access to this system, but the Sheriff does not. The Grand Jury recommendation, however, would fit more completely within the data fields in a countywide GIS. The Board of Supervisors funded a countywide GIS project in FY01/02. The project, which will include all parcels in the county and data about the parcels, is in its second year of development and it will be sometime before it is fully functional. In the interim the departments involved are meeting to develop a procedure and ordinance changes to better regulate businesses operating in the unincorporated county without a business license.

Treasurer-Tax Collector-County Clerk Response – The recommendation requires further analysis to determine the most efficient process for the County and the public.

A working group comprised of representatives from the Treasurer-Tax Collector-County Clerk's office, the County Administrator's office, County Counsel's office, the District Attorney's office, Environmental Management, Assessor-Recorder and the Sheriff's Department has been established to address the business licensing process and monitoring and tracking procedures. It is estimated that a recommendation can be forwarded to the County Administrator within three months.

Assessor Recorder Response – A great deal of the information collected by the Solano County Assessor/Recorder is confidential. The Assessor/Recorder cannot disclose the information to third parties unless specifically authorized to do so by statute. The Assessor/Recorder has no statutory authority to share this confidential information with the Department of Environmental Management. Therefore, although the Assessor/Recorder's Office agrees that computer interface between the departments as identified in Recommendation #4 would make the verification of license requirements more efficient, it cannot legally implement this recommendation.

Recommendation #3: The BOS direct the DEM, Solano County District Attorney and County Counsel to review enforcement procedures and interdepartmental coordination of the neighboring counties and provide recommended changes to the county procedure.

District Attorney Response – The District Attorney does not concur with the Grand Jury's finding. In fact, almost a full year ago the District Attorney initiated meetings with the Department of Environmental Management and the County Counsel regarding enforcement of county ordinances *vis a vis* illegally operating businesses. Since then, we have met regularly, included additional departments and agencies, and are actively working to develop a more effective method to 1) identify illegally operating businesses, 2) conduct a thorough investigation, 3) take appropriate administrative action, and, if necessary, 4) refer the matter to the District Attorney for civil and/or criminal prosecution.

Moreover, the District Attorney's Office also continues to work with affected county agencies, as well as the various cities within Solano County, to develop a consistent and effective method of addressing county-wide code enforcement issues regarding blight. I remain firm in my belief that a "broken windows" approach is one of the key means of fighting crime. When code enforcement, law enforcement, and residents in the neighborhoods work together to eliminate blight, code violations, and unlawful business activities, the proven result is a significant reduction in both the number of violations and the seriousness of other crimes.

Over the coming months, I anticipate that the Board of Supervisors will have an opportunity to revise and update various ordinances dealing with code enforcement. The District Attorney's Office is committed to helping ensure that process is successful.

Environmental Management Response – While the BOS has not formally directed the three departments during 2002/03 to review enforcement procedures and the programs of several neighboring counties, discussion between the three departments began early in 2003. The three have met several times and have identified opportunities as well as a need to revise existing ordinance language to more effectively facilitate code enforcement.

Board of Supervisors' Response – *The Board of Supervisors concurs with departmental responses and feels that County Counsel and Environmental Management have conducted significant research on zoning enforcement systems in neighboring counties and cities. This information is being used to provide solid recommendations for improvements to the County's zoning enforcement procedures.*

Finding #4 - One-third of businesses surveyed in the Homeacres area have no business license.

Recommendation #4 - The Board of Supervisors (BOS) direct revision of the Solano County Code Chapter 14 to:

- Eliminate the Treasurer-Tax Collector from the business license process
- Assign the administrative processes of receiving the application and issuing the license to Department of Environmental Management (DEM)

Finding #2 – The BOS has not provided Solano County Department of Environmental Management (DEM) and the County legal staff with sufficient staffing to enforce zoning codes.

Recommendation #2 – The BOS increase and fund personnel authorizations to the level necessary to effectively enforce zoning codes.

Environmental Management Response – The Board of Supervisors did fund and authorize and an additional Code Enforcement Officer position in the FY01/02 budget. The Department Director opted to hold the new position vacant through June 2003 Budget hearings, rather than face the potential for a layoff situation as Board was forced in February 2003 to require all departments to prepare and submit up to 20% reduction plans for their operating budgets for FY02/03. These reduction plans were requested as a result of the anticipated county impacts from the State Budget shortfalls and budget crisis. Code Enforcement has been identified as an important function and program by the Board of Supervisors as evidenced by their willingness to continue to fund positions in FY02/03, despite the fact that it is not a state or federal mandated program and it does not directly generate funds to cover the operating costs of such a program. The BOS has a business responsibility to have a balanced operating budget, and has many mandated services and programs, consequently, when resources are limited, county services and programs must be prioritized. The Department of Environmental Management (DEM) also has mandated programs and services in addition to non-mandated programs that serve the public. The Board and the County Administrator have supported additional time for DEM to further review and evaluate the current code enforcement efforts and options, focusing on utilizing existing available resources more effectively to maximize the program impact on the communities in lieu of additional resources.

County Counsel's Response – This matter is not under the control of County Counsel. We will continue to provide legal assistance to the Department of Environmental Management. We presently pursue an effective notice-based, nuisance complaint procedure. A complaint is not filed until the Department has exhaustively attempted to secure voluntary compliance. We provided examples of our code enforcement actions to the Grand Jury. Such actions reflect the Department's ability to abate nuisances in a number of ways and to recover its administrative costs. We continually refine our procedures and evaluate complementary administrative remedies.

Board of Supervisors' Response – *The Board of Supervisors continues to support departmental efforts to foster voluntary code compliance which can be accomplished by the additional staff allocated to the Department of Environmental Management. At this time, the Board feels that staffing in Environmental Management and County Counsel is sufficient in light of the current economic times. We do not feel we can increase staffing in a non-mandated function, while eliminating positions for programs that more closely reflect the Board's priorities of improving the lives of children, supporting health programs, and maintaining a safe community free from violence.*

Finding #3: The BOS has not utilized the opportunity to study and learn zoning enforcement procedures from neighboring counties in order to incorporate any useful ideas.

County. It is anticipated that as Federal and State funding continues to be received this team will become fully equipped and operational by December 2005.

Environmental Management Response – Recently, the Department of Environmental Management has worked in cooperation with the County Sheriff's Department - Office of Emergency Services and the Solano County Fire Chief's Association, with the assistance of a consultant to conduct a desktop exercise testing the Solano Area Hazardous Materials Response Plan. The three groups continue to look at and evaluate the advantages of a local certified Hazmat Entry Team and how it might be staffed, funded, and maintained in light of the limited resources and relatively low demand here to for. It is expected that through the Office of Emergency Services and the current work in Bioterrorism preparedness, a report will be prepared and presented to the Board of Supervisors.

Board of Supervisors' Response – *The County Administrator, acting as the County's Director of Emergency Services, works closely with all County departments and the Board of Supervisors to ensure that adequate precautions are taken to ensure the preparedness of County staff to respond to any threat or emergency in the County. The Board of Supervisors concurs with the Department responses to the Grand Jury findings and recommendations.*

XII. Solano County Zoning Code Enforcement

The Grand Jury elected to investigate progress in resolving issues found in the 2001-2002 Grand Jury investigation into zoning code enforcement. Many responses were incomplete and indicated need for additional time to resolve.

Findings and Recommendations

Finding #1 – The last written guidance for County zoning code enforcement, provided by the Solano County Board of Supervisors (BOS) in 1996, is contradictory to the law and to varying and inconsistent policies since that time.

Recommendation #1 – The BOS publish an updated written policy to enforce the law as written.

Board of Supervisors' Response – *The Board has provided consistent direction and guidance to the departments that code enforcement is a priority for Solano County and that code enforcement should be pursued both through education, voluntary compliance as well as appropriate legal action. The departments responsible for code enforcement are not operating pursuant to an unidentified 1996 policy and have a clear understanding of Board direction.*

Various County departments are currently meeting to review and update the business license and zoning codes to provide additional policy direction to involved departments and facilitate compliance from local businesses and property owners. The revised codes should come to the Board of Supervisors later this fiscal year.

funding. The new unit will be capable of functioning as a short term backup command center should the primary and alternate EOC go down. This unit will be available to all jurisdictions within Solano County under provisions of the grant and the direction of the Office of Emergency Services.

Sheriff's Response – The Solano County Office of Emergency Services is currently in the process of purchasing a new Mobile Command Unit with federal grant funding. The new unit will become primary and the existing unit will serve as alternate to the primary. Once a permanent location for the Office of Emergency Services and the Emergency Operations Center has been identified, the existing facilities at the Sheriff's Office may become a viable alternate site. The eventual relocation of the Office of Emergency Services and the Emergency Operations Center is a policy decision to be decided by the Solano County Board of Supervisors.

Finding #4 – Of 82 hazardous incidents that occurred within Solano County since January 1998, five exceeded the capabilities of Solano County Agencies. Trained Hazmat Entry Teams from the City of Sacramento and Napa County in accordance with Memorandums of Understanding satisfactorily controlled these incidents.

Environmental Management Response – The Department of Environmental Management agrees with the finding. The statistical information was collected and provided by the Department of Environmental Management.

Recommendation #4 – The Solano County Board of Supervisors carefully evaluate the comparative financial and response advantages of establishing a certified Hazmat Entry Team, of developing multi-agency teams, or of continuing memorandums of Understanding with certified Hazmat Entry Teams from non-county resources.

OES Response – The Solano Operational Terrorism Working Group has been addressing this problem ever since September 11, 2001. A special committee is tasked with the development and coordination of establishing a dedicated Haz-Mat response team for Solano County. Under the Federal Act supporting homeland security, initial funding has been secured to develop a 25-person multi-agency hazardous materials response team for Solano County. The majority of team members will be provided by local Fire Departments and some Law Enforcement agencies. Funding for a specialized Haz-Mat response vehicle has been secured through a federal Homeland Security grant. When the vehicle is delivered to Solano County, it will be assigned by the Office of Emergency Services (OES) to the Fairfield Fire Department per an agreement with the Fire Chief. This will provide a centralized location within the county for emergency response by multi-agency team members. OES is also working with the committee in an effort to secure funding for a team administrator who will make sure that all team members are trained and certified in accordance with local, state and federal laws. It is anticipated that the team will become fully equipped and operational by December 2004.

Sheriff's Response – Under the Federal Act supporting homeland security, initial funding has been secured to develop a 25-person multi-agency hazardous materials response team for Solano

County Administrator's Office Response – The County Administrator understands the importance of providing adequate space for the Emergency Operations Center (EOC) and has tasked General Services' Architectural Services with identifying and equipping suitable space for the EOC as part of the downtown project.

Finding #2 – Communications capabilities of the EOC do not satisfy requirements to control a complex emergency.

General Services Response – Solano County General Services concurs with this finding.

Recommendation #2 – Ensure the EOC needs are incorporated in the current County study that is developing interoperability of radio communications between dispatch centers and mobile units of County and City agencies.

General Services Response – We concur with the Grand Jury findings except to note that the Office of Emergency Services does currently have four FCC licensed radio channels at its disposal to use within Solano County to manage or coordinate any type of disaster, two of which are used as a high level repeater. These radio channels are programmed into the EOC radios.

The requirements of the EOC will be addressed by SECA as it attains the goals described in the Public Safety Radio Interoperability section.

OES Response – Solano County is a member of the recently formed Solano Emergency Communications Activity (SECA). The specific needs of the Solano County Office of Emergency Services and the Emergency Operations Center are recognized and represented as SECA works to implement interoperable countywide emergency communications.

Sheriff's Response – Solano County is a member of the recently formed Solano Emergency Communications Activity (SECA). The specific needs of the Solano County Office of Emergency Services and the Emergency Operations Center are recognized and represented as SECA works to implement interoperable countywide emergency communications.

Finding #3 – Both the designated alternate EOC site and the mobile unit EOC require upgrade to provide an appropriate level of control during a major disaster in the event the primary EOC became unusable.

Recommendation #3 -- Evaluate the choice between a fixed or a mobile alternate EOC and consolidate all efforts into the better choice.

OES Response – Once a permanent location for the Office of Emergency Services and the Emergency Operations Center has been identified, the existing facilities at the Sheriff's Office may become a viable alternate site. The eventual relocation of the Office of Emergency Services and the Emergency Operations Center is a policy decision to be decided by the Solano County Board of Supervisors. The Solano County Office of Emergency Services is currently in the process of purchasing a new 42' Operational Area Mobile Command Unit with federal grant

Communications Activity work group in their efforts to improve radio interoperability in Solano County.

X. Standardized Emergency Management System

The Grand Jury, after reviewing previous Grand Jury Reports, elected to review the effectiveness and continued development of the Solano County Emergency Management System.

Findings and Recommendations

Finding #1 – The Emergency Operations Center (EOC) requires dedicated space to ensure complete operational capability is immediately available upon activation.

General Services Response – Solano County General Services concurs with this finding.

Recommendation #1: The Solano County Board of Supervisors monitor the building assignments plan during the renovation period of County buildings to ensure that the space currently planned for the EOC is not assigned to a less critical function.

General Services Response – General Services partially agrees with this recommendation and acknowledges that the EOC is a critical County function that should have dedicated space. Several existing County buildings in the downtown Fairfield campus will be vacated in whole or in part as a result of consolidating departments in the Government Center project. In early August 2003, a Steering Committee was formed to identify adaptive reuse opportunities for vacated facilities in the downtown Fairfield County campus.

In late June 2003, General Services presented the preliminary findings of the Adult Detention Needs Assessment and Master Plan to the Board of Supervisors. This Master Plan indicates the need to expand the existing adult detention facility in downtown Fairfield as early as 2008 based on current projections. If the Board adopts and implements the final Master Plan, the space that is currently planned for the EOC would be demolished to accommodate the expansion. On this basis, other viable options to provide dedicated space for the EOC (including adaptive reuse of vacated space not planned for demolition) should be identified and presented to the Board for consideration.

OES Response – The Office of Emergency Services (OES) agrees with the finding and recommendation of the Solano County Grand Jury. There are tentative plans to relocate OES into the 6,000 square foot Architects building located behind the Sheriff's Office. This would provide enough space for OES to build and maintain a dedicated Emergency Operations Center that would meet today's Operational Area standards and emergency alerting needs.

Sheriff's Response – The Solano County Sheriff agrees with the finding and recommendation of the Solano County Grand Jury and will defer response to Michael Johnson, the Director of Emergency Services and the Solano County Board of Supervisors, as this is a policy decision.

the process of attaining effectiveness and efficiency in countywide emergency communications. A needs assessment has been completed and SECA is currently seeking a funding source to support implementation of both short term and long-term solutions to our existing communication situation. Representatives from SECA will continue to meet with the County/City Managers and affected agencies in an effort to reach a collective goal that will address Solano's radio interoperability problems.

Finding #2 – Consolidation of dispatch centers would be more efficient and provide a significant overall cost savings.

General Services Response – Solano County General Services concurs with this finding.

Recommendation #2 – A plan be formulated to implement two regional dispatch services in Solano County. This would provide a back up in case one center becomes temporarily inoperable.

General Services Response – We concur with the goal of consolidating the six city and county dispatch centers (PSAPs), but it is possible that three regional PSAPs would prove to be more desirable. If SECA wishes to segregate all PSAPs based upon type of service requested, (all police by one PSAP and all fire/medical by a second PSAP) then the two-PSAP configuration would be plausible technically.

Office of Emergency Services/CAO Response – Solano Emergency Communications Activity (SECA) has identified the consolidation of dispatch centers as one of three primary objectives established to improve emergency communications in Solano County.

East Vallejo Fire Protection District Response -- The County Administrator's Office concurs with the findings of the Grand Jury. The County has been one of the major planners and architects of the proposed Communications Interoperability study that has evolved into the Solano Emergency Communications Activity (SECA) work group. The SECA mission is to improve public safety radio communication compatibility in Solano County, with a final goal to have a unified communications system that is compatible with, and serves the needs of, all local safety organizations, State CHP and OES and several federal agencies including Travis AFB and the FBI.

The East Vallejo Fire Protection District was established for the purpose of disbursing special assessment revenues collected within the District's jurisdiction for fire protection services to citizens in the District which is an unincorporated pocket surrounded by the City of Vallejo. This District does not directly hire any fire protection staff. The fire protection services are performed under a contract with the City of Vallejo Fire Department and they are active participants in the work group that is working to address the incompatibility of the various radio systems in the County.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Departments' responses to the Grand Jury findings and recommendations and supports the Solano Emergency*

continue to work towards consolidation and recognize that it could very well require 3 to 5 years to accomplish this goal.

The SECA steering committee accepted the Needs Assessment report performed by RCC Consultants Inc. and is currently using that report to form a recommendation to the City Managers and the County Administrator. It is also important to note that each PSAP does currently have the technology in place to set up audio patches from any radio channel that appears on the consoles to any other radio channel, albeit without clear guidelines on how and when to use this capability.

The Grand Jury's comments in Section V pertaining to the benefit for the County Emergency Operations Center to have access to an interoperable radio system is very true, although the Emergency Operations Center does already have a cache of deployable radios as well as mobile radios installed in the Mobile Command vehicle, thus affording them a means of communicating to any public safety agency within Solano County, including Travis AFB and each city.

Recommendation #1B – A permanent Joint Powers Authority be formed to oversee, coordinate and implement the emergency communications needs of Solano County. The Joint Powers Authority should consist of representatives from:

- Solano County
- Solano Emergency Medical Services Cooperative
- The cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville and Vallejo.
- All Fire Districts within Solano County
- Solano Community College Police Department
- Solano County Office of Emergency Services

General Services Response – General Services concurs that a Joint Powers Authority be formed to oversee, coordinate and implement the emergency communication needs of Solano County. Several agencies on the above recommended list currently contract with Solano County to use its radio infrastructure and may be represented by Solano County in the JPA. These include Solano Community College, the Fire Districts and the Office of Emergency Services. SECA's Steering Committee has thus far recognized the financial hardship that these smaller agencies would be faced with and recommends that the County continue to provide the infrastructure and dispatch capabilities without requiring them to participate in the JPA. These agencies would be required to become "fee-for-service" end-users when an interoperable radio and data system is realized.

Sheriff's Response – Solano County public safety agencies have formed the Solano Emergency Communications Activity (SECA) for the purpose of managing the process of attaining effectiveness and efficiency in countywide emergency communications. A needs assessment has been completed and SECA is currently seeking a funding source to support implementation of both short term and long-term solutions to our existing communication situation.

Office of Emergency Services/CAO Response – Solano County public safety agencies have formed the Solano Emergency Communications Activity (SECA) for the purpose of managing

Findings and Recommendations

Finding #1 – The radio communication system presently used throughout Solano County prevents effective emergency communication between local emergency providers.

General Services Response – General Services concurs that the radio communication system presently used could be more effective between local emergency providers.

Recommendation #1A – A coordinated radio communication system be implemented within Solano County to allow interoperability between public safety agencies.

General Services Response – General Services concurs with the recommendation. It corroborates the work that Solano Emergency Communications Activity (SECA) has undertaken, particularly in the past two years. There appears to be no reluctance from any of the affected public safety agencies, or from the City Managers and the County Administrator to move forward. Additionally, the executive level of local government supports our efforts to date in the pursuit of the three primary objectives that we set for ourselves to attain:

1. Radio Interoperability amongst Public Safety Agencies within Solano County
2. The Sharing of Data amongst Public Safety Agencies within Solano County
3. The Consolidation of the Public Safety Answering Points (PSAPs)

SECA continues to meet regularly, working towards measurable milestones such as the completion of a Memorandum of Understanding that should lead toward the inevitable Joint Powers Authority, short and long term approaches to radio interoperability and data sharing, and recommendations to define the logical steps to consolidate the six PSAPs.

It is important to note the fiscal prerequisites necessary to fund a well coordinated radio communication system. The SECA steering committee recommends a phased approach to solve the radio and data sharing objectives, acknowledging the reality that the estimated cost of a long term and comprehensive solution would be approximately \$42 million to \$52 million. The short term solution for radio interoperability and data sharing would cost approximately \$3 million. This provides technology for interfacing existing disparate radio systems and foresees a common data “warehouse” for the Computer Aided Dispatch/Radio Management Systems, whereas the long term solution foresees a large countywide trunked radio system proportioned to each agency’s specific requirements. The steering committee believes that it may be more realistic to secure funding in the form of Homeland Security grants and or grants earmarked specifically for radio interoperability. The amount of the grants is likely to be up to a few million dollars per year for the next 2 or 3 years, if we demonstrate the will to create a regional, multi-jurisdictional system.

The Grand Jury Report seems to emphasize the consolidation of PSAPs more than the other two objectives set by SECA. I concur with the steering committee in that we must resolve the radio interoperability and data sharing as prerequisites to the consolidation of PSAPs, lest we set the PSAPs up for failure in our haste to meet that specific objective. I do think that it is possible to

Sheriff-Coroner's Office Response – The finding by the Grand Jury reflects the poor performance of a specific employee working at the Coroner's Office. The Coroner's Office was well aware of this employee's shortcomings and the employee was terminated for poor performance. The Solano County Civil Service Commission reinstated the employee and as a result the employee's poor performance continued, eventually creating the incident investigated by the Grand Jury. The employee no longer works for the Coroner's Office and the issues identified by the Grand Jury no longer exist.

Board of Supervisors' Response – *The Board of Supervisors recognizes the sensitivity of this issue and concurs with the Department's responses and corrective actions to the Grand Jury findings and recommendations.*

IX. Solano County Law Enforcement Compensation and Staffing Levels

The Solano County Sheriff's Office expressed concern that disparity of pay levels and benefits compared to area police departments was causing high attrition rates and difficulty in recruiting qualified law enforcement personnel.

Finding and Recommendation

Finding #1 – The number of unfilled deputy sheriff positions in the Solano County Sheriff's Office is not disproportional with the unfilled positions in the other agencies surveyed when adjusted for agency size.

Recommendation #1 – The Sheriff Office continue their aggressive recruiting programs to fill vacancies.

Sheriff's Response – As a result of aggressive recruitment, and with the assistance of the Solano County Department of Human Resources, the vacancy rate for deputy sheriffs has been reduced to six. As of the date of this response the Sheriff's Office continues to recruit deputy sheriffs and we have several candidates currently in process.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department's response.*

X. Public Safety Radio Interoperability

The Solano County Grand Jury identified a serious problem that currently exists within Solano County concerning the public safety radio and communication systems. These systems operate independently with no coordination and little interoperability among police, fire and medical agencies.

VIII. Solano County Sheriff-Coroners Office Next of Kin Notification Policy

The Solano County Grand Jury investigated a citizen's complaint alleging the Coroner failed to make a timely death notification. The accident occurred at 1600 hours but complainant was not notified until 2230 hours.

Findings and Recommendations

Finding #1 – The Solano County Coroner did not follow its own Death Notification Policy. The notification was delayed because the Coroner did not deliver the bodies to the morgue before reporting to the second accident. Bodies from both accidents were delivered to the morgue at 2145 hours by the Coroner's vehicles and two contracted transporter vehicles.

Recommendation #1 – In instances of multiple accidents such as this, the contract transporter delivers bodies to the morgue. Then the on-site Coroner, en-route to the second accident calls and apprises the Supervisor of the situation. The Supervisor should then take on the responsibility of identification and notification.

Sheriff-Coroner's Office Response – Policy and Procedure for the Coroner function has been changed to clarify the death notification process. Whenever possible, Coroner's Investigators are required to make in-person death notification to next of kin, when the next of kin resides within the boundaries of Solano County. Coroner Investigators have been trained on this policy and every effort will be made to provide timely notification of next of kin. In the event of multiple deaths at differing locations, the on-duty Coroner Investigator is responsible for notifying the Supervisor. Once notified, the Supervisor will respond and assist the Coroner Investigator as necessary to make sure death notifications are made timely and personal property of the deceased is inventoried and properly stored.

Finding #2 – Returning victim's belongings to family in a garbage bag conveyed the image that belongings were perceived as trash.

Recommendation #2 – Belongings should be returned to families in a box or neatly wrapped in paper.

Sheriff-Coroner's Office Response – The practice of using plastic bags to store personal property has been abolished. Personal property is now stored in cardboard boxes and returned to family members in a cardboard container.

Finding #3 – The Grand Jury found the Coroner's report to be incomplete, with errors and not consistent with the CHP report or the Transporter statements.

Recommendation #3 – The Coroner's report should detail times of events accurately to ensure completeness and correctness in its reports. All reports and revisions should be dated and timelines noted.

VI. Detention / Holding Facilities

In accordance with California State Penal Code Section 919(b) the Grand Jury is required to inspect all County detention facilities.

Sheriff's Response – There were no findings or recommendations directly pertaining to the County jails in the report so no response was required from the Sheriff's Office.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department's non-response. Under Comments the Grand Jury expressed a concern with the time involved in the booking process from arrest to acceptance at the County jail. The Board supports the Sheriff's efforts to implement LiveScan fingerprinting for use by the Department and local police agencies to facilitate booking time.*

VII. Solano County Sheriff/Coroner's Office Facility Inspection and Tour

In accordance with California State Penal Code Section 919(b) the Grand Jury is required to inspect all County detention facilities. In addition, the Grand Jury elected to tour the Coroner's facility.

Fairfield Main Jail Finding and Recommendation

Finding #1 – The Fairfield facility often exceeds its inmate capacity and houses inmates on the floor.

Recommendation #1 -- The Sheriff develop a plan to deal with the overcrowding and present it to the Board of Supervisors in a timely manner.

Sheriff's Response -- The Solano County Sheriff has met with the County Administrator to discuss the issue of jail overcrowding. Solano County recently contracted with a consulting firm and the analysis necessary to identify the immediate and long term need for inmate beds in Solano County has been completed. A strategic plan in the form of a jail expansion and construction strategy identifying our immediate and projected need for jail beds out to the year 2025 was recently presented to the Solano County Board of Supervisors. The Solano County Board of Supervisors has accepted this report, indicating their support by a majority vote. What remains to be determined is an adequate funding source to support construction and staffing. In the interim, the Sheriff's Office will continue to minimize jail overcrowding by facilitating work release programs and the early release of qualified non-violent offenders.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department's response.*

Recommendation #2 – Hold court at the Juvenile Hall facility. If this is not feasible, the Sheriff's Office be responsible for transportation until the new facility is completed.

Probation Department Response – The recommendation will not be implemented because it is not warranted. Although the Administration of the Probation Department agrees that the transport of juveniles to Court hearings poses significant challenges, the Juvenile Hall has policies implemented that when followed provide for the safe and secure transport of residents. The funding for the construction of the new Juvenile Hall specifically instructed that it could not be utilized for court facilities. The County is providing a percentage of the funding for the new facility, however if some of that funding was diverted for the construction of a juvenile court facility, there would be inadequate funding for the detention facility. Additionally, when the new Juvenile Detention Facility is operational, there is a secure sally-port to facilitate a more secure transport environment. The Probation Department acknowledges that some Juvenile Hall residents pose a greater threat to the community due to the nature of their offense or other factors in their history. When these situations arise, the Probation Department requests that the Court order the Sheriff's Department to transport the resident, if the Court agrees with the request and makes such an order, the Sheriff's Department has always cooperated and facilitated the transport. The majority of residents do not require the level of security provided by the Sheriff's Department transportation unit.

Sheriff's Department Response – The Sheriff's Office does not agree with this finding. The Sheriff's office is not currently responsible for the transportation of juvenile offenders attending Court unless the Court deems that there is a potential threat to public safety and orders the Department to provide transportation. Transportation of all juvenile offenders from Juvenile Hall to Court could be a function of the Sheriff's Department if sufficient funding for necessary additional staff and equipment is provide in the Sheriff's budget.

County Administrator's Office (CAO) Response – The CAO does not agree with this finding. The addition of a juvenile court facility at Juvenile Hall was not part of the new Juvenile Detention Facility project due to funding constraints. The Court is a State entity and as of their transition to the State is required to fund the construction any additional courtrooms. Court funding was not made available in the Juvenile Detention Facility project, consequently a juvenile courtroom was not included in the design. It should be noted, however, that subsequent additions to the Juvenile Hall may include multipurpose rooms that could be pressed into service as hearing rooms for the Juvenile Court.

In addition, the CAO concurs with the Probation Department's response regarding their ability to transport juveniles to court. The Department is able to routinely transport juveniles to court. If this function were transitioned to the Sheriff's Department the cost of transporting juveniles would become more complicated and costly.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Departments' responses to the Grand Jury Findings and Recommendations.*

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department's response.*

IV. Black Infant Health Program

The Grand jury elected to review the Black Infant Health Program.

Finding and Recommendation

Finding #1 – The Black Infant Health Program in the Solano County Health and Social Services (H&SS) Department has shown some success.

Recommendation – Continue this Program.

H&SS Response – The recommendation of the Grand Jury has been implemented, and the program will continue in 2003/04. Since inception of this program, 1,579 women have been served. The death rate for African-American infants has been reduced from 16 deaths per 1,000 live births in 1989 to 11 deaths per 1,000 live births in 2002. The goal is to reduce the rate to 4.5 deaths per 1,000 live births by 2010 (Healthy People 2010 objective).

The First Five Commission has funded an expansion of the program for 3 years. The expanded program will serve approximately 300 (3-year period) additional women, 180 expectant fathers, and extend services to Vacaville.

Board of Supervisors Response – *The Board of Supervisors concurs with the Department's response to the Grand Jury Finding and Recommendation.*

V. Solano County Juvenile Hall Inspection

In accordance with California State Penal Code Section 919(b) the Grand Jury is required to inspect all County detention facilities.

Findings and Recommendations

Finding #1 -- The Solano County Juvenile Hall is in good condition.

Probation Department Response – The Probation Department agrees with the finding.

Recommendation #1 – None

Finding #2 – Transporting juveniles to Juvenile Court is a critical issue.

Probation Department Response – The Probation Department and Juvenile Hall disagree with the finding.

are working in conjunction with City staff to develop specifications for the purchase and installation of the carpet.

Finding #2 – Space allocated for library services is inadequate.

Recommendation #2 – The City of Vallejo should make more space available for library use.

Library Response – Staff are unclear why this recommendation was made regarding the Kennedy library, which has more than adequate space for library services and programs. There is a separate children's room on the first floor with its own enclosed area for programs. The Joseph Room on the second floor is used for larger programs and hosts the popular Sunday afternoon concert series. There are 250 seats in the library proper for casual reading as well as study and research, including the first floor children's room and the second floor library area. The collection has ample space.

Kennedy is the only library with a separate computer room with 20 computers that can be used for training or for general computer use by the public. To date, this library is the only County Library branch that offers this service. Finally, the Library's Literacy program, which is headquartered at the Kennedy facility will be moving to Fairfield in October, which will make space available for one or two group study rooms. All these services reflect what the community said they wanted during public input sessions that helped shape the Library's 20-year Facilities Master Plan.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department's response to the Grand Jury Findings and Recommendations.*

III. Solano County Department of Child Support Services (DCSS)

The Grand Jury elected to review the Solano County Department of Child Support Services.

Finding and Recommendation

Finding #1 – The Department of Child Support Services needs additional space.

DCSS Response – The department concurs with the finding of the Grand Jury.

Recommendation #1 – Funds be allocated for additional space.

DCSS Response – The department concurs with the finding of the Grand Jury. The recommendation has been implemented during the current budget year. The lease for the current site expires in October of 2004. Negotiations for a new site are currently being conducted. Funding will be provided through the Administration Planning Allocation as determined by the State Department of Child Support Services.

I. Solano County Registrar of Voters (ROV) Absentee Ballot Instructions

The Grand Jury received a complaint that a voter had been denied constitutional voting rights to vote for local candidates and issues.

Findings and Recommendation

Finding #1 – The citizen was properly registered and had voted in the last General Election.

ROV Response – Registrar of Voters agrees with the finding. However, voting in the last General Election is not a condition to receive a ballot. Any properly registered voter is eligible to vote.

Finding #2 – Upon review of the non-military absentee ballot applications it became clear that an error had been made regarding the instruction sent to this voter.

ROV Response – Registrar of Voters agrees with the finding.

Recommendation – The form currently used for non-military absentee ballot applications be modified to include additional question(s) as necessary to eliminate this type of error.

ROV Response – The form used for the non-military absentee ballot application was revised based on the Grand Jury's recommendation.

Board of Supervisors' Response – *The Board of Supervisors concurs with the Department's response to the Grand Jury findings and that action has been taken to implement the recommendation.*

II. John F. Kennedy Library

The Grand Jury has the responsibility to examine all areas of county and city government to ensure that the beset interest of the citizens is being served. This year the Grand Jury visited the John F. Kennedy Library in Vallejo.

Findings and Recommendation

Finding #1 – The building is run down and old. The original carpet, which is 33 years old, is worn, torn and creates a safety hazard.

Recommendation #1 – The City of Vallejo allocate funds to upgrade the building, including replacing the carpet.

Library Response – The City has allocated \$95,000 to replace the carpeting on the second floor. The children's room on the first floor was recarpeted approximately 10 years ago. County staff

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October 28, 2003

RECEIVED
OCT 29 2003
SUPERIOR COURT, DEPT. 16
SCOTT KAYS

The Honorable Scott L. Kays, Presiding Judge
Superior Court of the County of Solano County
Hall of Justice
530 Union Avenue
Fairfield, CA 94533

Dear Judge Kays:

The Board of Supervisors is in receipt of the 2002/2003 Grand Jury Final Report pertaining to the following Solano County activities and/or functions:

- I. Solano County Registrar of Voters Absentee Ballot Instructions
- II. John F. Kennedy Library
- III. Solano County Department of Child Support Services
- IV. Black Infant Health Program
- V. Solano County Juvenile Hall Inspection
- VI. Detention / Holding Facilities
- VII. Solano County Sheriff/Coroner's Office Facility Inspection and Tour
- VIII. Solano County Sheriff-Coroners Office Next of Kin Notification Policy
- IX. Solano County Law Enforcement Compensation and Staffing Levels
- X. Public Safety Radio Interoperability
- XI. Standardized Emergency Management System
- XII. Solano County Zoning Code Enforcement
- XIII. Solano Building Code Enforcement in Allendale Area
- XIV. Homeacres Housing Rehabilitation Program
- XV. Solano County Flood Control

The Board appreciates the effort expended by the Grand Jury in its review of the various County programs and departments and welcomes the input provided. The Board's Response, follows the Department's responses previously provided directly to the Court.

INDEX OF AFFECTED AGENCIES

Black Infant Health Program	City of Vacaville City Manager
California Department of Corrections	City of Vacaville Fire Department
California Medical Facility	City of Vacaville Police Department
California State Prison Solano	City of Vacaville Unified School District
City of Benicia – City Manager	City of Vallejo – John F. Kennedy Library
City of Benicia Fire Department	City of Vallejo – Mare Island Elementary School
City of Benicia Police Department	City of Vallejo – Solano Middle School
City of Dixon City Manager	City of Vallejo – Steffan Manor Elementary School
City of Dixon Fire Department	City of Vallejo – Vallejo City Council
City of Dixon Police Department	City of Vallejo City Manager
City of Dixon Unified School District	City of Vallejo Fire Department
City of Fairfield – Armijo High School	City of Vallejo Police Department
City of Fairfield City Manager	Cordelia Fire Protection District
City of Fairfield Fire Department	Dixon Fire Protection District
City of Fairfield Police Department	East Vallejo Fire Protection District
City of Rio Vista City Manager	Montezuma Fire Protection District
City of Rio Vista Fire Department	Ryer Island Fire Protection District
City of Rio Vista Police Department	Solano Community College Police Department
City of Suisun - City Manager	Solano County – County Counsel
City of Suisun – Mayor	Solano County Communications Department
City of Suisun City Council	Solano County Department of Child Support Services
City of Suisun Fire Department	Solano County Department of Environmental Management
City of Suisun –Park and Recreation Committee	Solano County Juvenile Hall
City of Suisun Police Department	Solano County Office of Emergency Services
City of Vacaville – Buckingham Charter School	Solano County Probation Department
City of Vacaville – Jean Callison Elementary School	Suisun Fire Protection District
City of Vacaville – Vaca Peña Middle School	Vacaville Fire Protection District
City of Vacaville – Vacaville Unified School District	

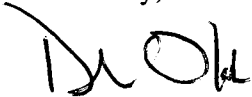
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Committee has informed the SCWA Board of Directors that this is not true; while they have discussed this possibility, the Committee has not made such a recommendation.

If you have any questions, please contact the Agency's General Manager David Okita at 451-2904.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Okita', with a long horizontal stroke extending to the left.

David B. Okita
General Manager

cc: Michael Johnson, Solano County Administrator
Clerk of the Board of Supervisors
Judge Scott Kays, Presiding Judge of the Superior Court
Birgetta Corsello, Department of Environmental Management